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JOSEPH R. BROWN.

MINNESOTA
IN
THREE CENTURIES

BY

RETURN I. HOLCOMBE

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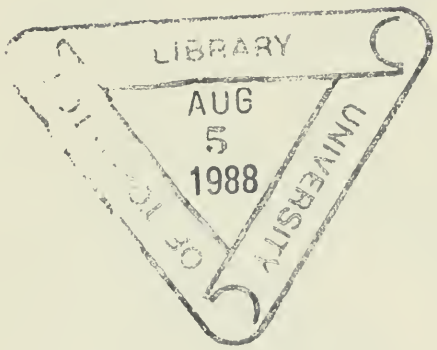
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EARLY HISTORY — MINNESOTA AS A TERRITORY

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PREFACE

This volume of Minnesota in Three Centuries covers the period of history from the time of the occupation by the Federal Government of Fort Snelling to the admission of the State into the Union. The compiler, Return I. Holcombe, has devoted three years to its compilation and has made extensive research of all works, manuscripts, and papers pertaining to the period of history treated, and the volume contains a large quantity of matter never before published. The compiler's manuscript has been carefully revised and approved by General Lucius F. Hubbard, General James H. Baker and Honorable William P. Murray for the Board of Editors.

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Chapter I.

FORT SNELLING.

THE location and establishment of a military post at the confluence of the Minnesota and Mississippi rivers, in 1819, constituted the first permanent American occupation of Minnesota, and was therefore an important and influential event in the history of the state. A great part of the present area of the commonwealth—that portion lying generally east of the Mississippi—had belonged to the United States after the close of the War of the Revolution and the larger part—that lying west of the river—had been American soil since the date of the Louisiana Purchase in 1803. As promptly as was practicable after the latter event, President Jefferson had sent the accomplished young Lieutenant Pike to spy out the land in the region of the headwaters of the Mississippi and make full report on the subject, and right thoroughly had that faithful and intelligent officer performed his duty and executed his instructions. The country then became known, though imperfectly, to America, but for many years afterward practically no Americans were among its inhabitants. The only Caucasians in the vast region were Englishmen and Frenchmen. In 1805 Lieutenant Pike had found the trading-posts in the extreme upper Mississippi country in charge of Englishmen, with the British flag over them, and he had caused the union jack to be hauled down and the stars and stripes substituted in its stead. All of the valuable fur trade, not only of Minnesota but of the entire Northwest, was controlled by English corporations—the great Hudson's Bay Company and the Northwest Fur Company.

By the terms of the Treaty of London, between the United States and Great Britain, in 1794, the English obtained the right of trade and intercourse with the Indians of the northern and northwestern portions of America. This valuable privilege gave them nearly a monopoly of the trade with the various tribes of the lakes and of the country about the headwaters of the Mississippi and the Missouri. In return for their license to occupy American soil, the traders were bound, by all moral obligation, at least, to obey the authority of the United States, abide by their laws, and commit no offense against their sovereignty and interests; but they failed in their duties most disgracefully and to the great injury of our country and its people. For during the War of 1812 every English trading-post in the northwest became a recruiting station for the British army, and every English trader became an active partisan for King George against our country. The most distressing occurrences and the greatest disasters to the Americans in the northern states and territories, while the war lasted, were occasioned by the conduct of the British traders. From northern Ohio and Michigan into Minnesota they recruited and organized numerous large bands of the most savage Indians, and either led them against the American forces or directed them upon the American frontier settlements. In the Minnesota country, Robert Dickson, the noted "red-headed Scotchman," as he was commonly termed, and his emissaries, induced members of the Sioux and Chippewaes to violate the obligations of their treaty with Lieutenant Pike and join the British forces in warfare against the Americans. The Minnesota Indians, recruited and organized by Dickson, served the British at the capture of Mackinaw and of Prairie du Chien in the fight against Colonel Zachary Taylor at the Rock Island, and also in southern Michigan and northern Ohio. A company of Sioux, commanded by Duncan Graham, a prominent Minnesota trader, were in the battle of Lower Sandusky, or Fort Stephenson, in northern Ohio in 1813, when the British forces were so signally repulsed by the brave Lieutenant Crogham and his men.

The evil conduct of these ungrateful and unprincipled traders became known to the American authorities, and, indeed, to history. To prevent its repetition measures were adopted as promptly as possible. And so by the Treaty of Ghent, which terminated the War of 1812, and which was made December 24, 1814, the right of English traders to remain or traffic in the United States was not given; our country wanted no more of them. In 1816 congress enacted a law which authorized the president to prohibit all foreigners from trading with the Indians within our limits. Under that act instructions were given to all Indian agents to prevent this form of British aggression and trespass, since it was manifest that the act was aimed almost directly at the English subjects in Canada.

But the strong-nerved traders refused to abandon their posts and traffic at the mere proclamation of the law or the polite requests of the American authorities. It was obvious that more stringent and effective measures must be adopted. Without a military force properly established and distributed along or near the northern boundary of our country, the illegal trade would still be continued. And even if the actual trading operations were prevented, an unwholesome and most pernicious practice would still remain unless forcibly prevented. This was the custom of frequent "talks" at the British posts between the Indians of the United States and His Britannic Majesty's subjects, which affairs were always accompanied by a profuse distribution of presents and British flags and metals among the savages and by other means of winning and increasing their regard for Englishmen and of promoting their dislike for Americans.

The American military authorities were prompt to move. Military posts, with garrison, were established along the Great Lakes within a comparatively short time after the close of the War of 1812. The Secretary of War, during nearly all of the second administration of President Monroe, was the able, accomplished, and distinguished John C. Calhoun.[1] Earnest and radical by reason of his intense nature, whatever this distin-

[1]Lake Calhoun, near Minneapolis, was named for this great American. (See Neill's History, p. 338).

guished statesman ever found to do he did with all his might. At the period of his incumbency of the war office he was in the prime of his manhood, exercising what authority he possessed in developing every section of the union. He not only increased the efficiency of the army, but improved the conditions of the Indians and caused the power of the United States to be felt in remote regions where before it had not even been acknowledged. He was as great a stickler for the delegated powers of the federal government, as he conceived them, as he subsequently was for the reserved rights of the states, as he comprehended them.

February 10, 1819, Secretary Calhoun ordered the concentration of the Fifth Regiment of infantry at Detroit, with a view to its transportation by way of the lakes and the Fox and Wisconsin rivers to Prairie du Chien. After leaving a garrison at the last named point the other companies were to proceed up the Mississippi to the mouth of the St. Peter's river, and establish a new military post which should become the headquarters of the Fifth Regiment. Other orders, issued about the same time, directed the movement of troops up the Missouri and the establishment of a fort at "the Council Bluff" on the Missouri, at the mouth of the Yellowstone, and at the "Falls of St. Mary's," now called the Sault Ste. Marie.

In a letter to the Chairman of the House Committee of Military Affairs, dated December 29, 1819, Secretary Calhoun announced that "the posts at the mouth of the St. Peter's and at the Council Bluff have already been occupied, and that at the Mandan village [at the mouth of the Yellowstone] will probably be next summer." Of the first named establishment the secretary said:

> The post at the mouth of the St. Peter's is at the head of navigation on the Mississippi, and, in addition to its commanding position in relation to the Indians, it possesses great advantages, either to protect our trade or to prevent that of foreigners.

Of the intercourse between the British traders and the American Indians Mr. Calhoun said:

> This intercourse is the great source of danger to our peace, and until it is stopped our frontier cannot be safe. It is estimated that

upwards of three thousand Indians from our side of the lakes visited Malden and Drummond's Island last year, and that, at the latter place alone, presents were distributed to them to the amount of $95,000. * * * The occupation of the contemplated posts will put into our hands the power to correct this evil. * * * On the Mississippi and the Missouri the posts at the St. Peter's and the Mandan village are well selected for the same service. From the Lake of the Woods westwardly the forty-ninth parallel of latitude is the boundary established by the late convention between the United States and the British possessions. The Hudson Bay and the Northwest companies have several posts and trading establishments much to the south of this line, and, consequently, within our territory. When the boundary is definitely ascertained and marked, the policy of the act of 29th of April, 1816, may, by means of these facts, be effectually enforced; and therefore, in that quarter, as well as on our side of the lakes, we will have the power to exclude foreigners from trade and intercourse with the Indians residing within our limits.

It is plain that the prime and principal object of the establishment of the military post which has long been called Fort Snelling was to bring the British traders under subjection, and either to compel them to renounce allegiance to the English crown and become citizens of the United States, or else drive them from the country, and also to prevent others of their class from coming in and establishing themselves, a trespass and invasion no longer to be tolerated.[1]

The detachments of the Fifth Regiment to be sent to the upper Mississippi under the order of the Secretary of War of February 10, 1819, were commanded by Lieutenant-Colonel Henry Leavenworth, and no better selection for the work could have been made.[2] He was intelligent, enterprising, and ambitious, and so was always active and diligent about his duties.

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[1]Neill, in his "History of Minnesota," chapter xvi., p. 319, intimates that the founding of Lord Selkirk's colony in the Lake Winnipeg region and the lower Red River of the North was the chief reason for the establishment of the fort; but the official records in the case, on the testimony of the Secretary of War himself, prove that the post was established to enable the government to dispose of the British traders effectually and to handle the Indians properly. No mention is made by Secretary Calhoun of the Selkirk colony.

[2]General Henry Leavenworth was born in Connecticut, December 10, 1783. In early life he was a lawyer and was engaged in the practice of his profession upon the breaking out of the War of 1812. In

October 16, 1818, all that portion of Illinois Territory not now included within the state of that name, but forming a part of Wisconsin, was attached to Michigan. In the spring of 1819 the county of Crawford, which included a large part of what is now the southeastern part of Minnesota, was, by an act of the Michigan legislature, organized, with the county seat at Prairie du Chien. Colonel Leavenworth, leading his troops on their way to build the Minnesota post, brought blank commissions to Prairie du Chien for the first county officers of the new county of Crawford, and was ordered to take charge of the county's organization, install the new officers, etc. It was with some difficulty that suitable persons to fill the offices were found.

Having established garrisons at Fort Crawford, at Prairie du Chien, and Fort Armstrong, on Rock Island, and having set the wheels of the government of Crawford County in motion, Colonel Leavenworth started up the Mississippi to complete his work at the mouth of the St. Peter's. The troops of the expedition numbered "ninety-eight rank and file." They were in fourteen batteaux or keel boats and were accompanied by twenty hired boatmen; thus the entire force numbered one hundred and eighteen men. The flotilla was quite imposing. Besides the batteaux, which served as troop-ships, there were two large boats loaded with provisions, ordnance, and other stores, the barge of Colonel Leavenworth and the boat of Major Forsyth, making a fleet in all of eighteen boats, which were propelled by sails and by oars and poles.

The expedition set out from Prairie du Chien at eight o'clock on Sunday morning, August 8, and arrived at the mouth

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that year he entered the army as a captain in the Twenty-fifth Infantry, and the following year was promoted to major. He was brevetted lieutenant-colonel and colonel for distinguished services in the battles of Chippewa and Bridgewater (near Niagara Falls, where he was wounded), and was appointed lieutenant-colonel of the Sixth Infantry in February, 1818. In 1824 he was made a brevet brigadier-general and in 1825 colonel of the Third Infantry. He established various frontier military posts, one of which, at the site of the city of Leavenworth, Kan., perpetuates his name. He died at Cross Timbers, Tex., in July, 1834.

of the St. Peter's on Tuesday Morning, August 24,[1] making the trip of two hundred and thirty-four miles, by the river, in sixteen days, at an average progress of twenty miles a day.

From Fort Dearborn (Chicago) the baggage had been hauled in wagons drawn by horses and oxen, and a number of cows were brought along; but it became necessary, on account of lack of proper transportation, to have all these animals brought by land from Prairie du Chien to the St. Peter's, and this was done by Jean Baptiste Faribault and family. Of the cattle, however, only the cows were brought. At Prairie du Chien Colonel Leavenworth was joined by Major Thomas Forsyth, a special Indian agent, who had been sent up from St. Louis in charge of the provisions, etc., for the troops to be stationed at the St. Peter's, and "a quantity of goods, say $2,000 worth," to be delivered to the Sioux in payment for the lands ceded by them to the United States under the Pike treaty of 1806. As stated, he joined Colonel Leavenworth at Fort Crawford and accompanied the expedition to the St. Peter's.

Major Forsyth kept a daily journal of his trip from St. Louis to the St. Peter's and return. This important manuscript was secured from his son, Colonel Robert Forsyth of St. Louis, in 1871, by Dr. Lyman C. Draper, and published in the Wisconsin Historical Collections, of which he (Dr. Draper) was editor, and was reprinted in volume iii. of the Minnesota Historical Society Collections. From this journal the incidents of the voyage of Colonel Leavenworth to Minnesota have, in the main, been obtained.

The Sioux had somehow learned that an agent of their American Father was on his way with presents for them, and on the arrival of Major Forsyth at Prairie du Chien, July 5, he found the son of Chief Red Wing, with a considerable band, awaiting him. Young Red Wing at once began begging for

[1]Neill, p. 320, and Williams ("History of St. Paul," p. 39) give this date as September 24, an error of one month. (Taliaferro, vol. ii., Minnesota History Collections, p. 103, gives the date of the arrival at the St. Peter's as September 17). The correct dates are derived from Forsyth's Journal.

goods. He said a member of his band had recently been killed by the Chippewas, and on this account the hearts of himself and his companions were very sad, and therefore the major should at once give them goods to assuage their grief and lighten the gloom of their bereavement. "But all this," writes Major Forsyth, "was a mere begging speech. I told him that I meant to go up with the troops to the River St. Peter's, and on my way up I would stop at their different villages, where I would speak to them and give them a few goods, but that I could not give any goods at this place. Yet he is such a beggar that he would not take any refusal. I got up in an abrupt manner and left him and his band to study awhile." A week later the major writes: "The Red Wing's son is still here abegging," and not until the 15th, after a stay of ten days, did he leave for home, to Forsyth's great relief. But in the meanwhile old Wabasha, he of one eye, whose big village was near the present site of Winona, had arrived, and a week later old Red Wing himself, with twenty followers from their village, where the city of Red Wing now stands, had come. "This is another begging expedition," writes Major Forsyth.

Two days out from Prairie du Chien the expedition stopped on the Iowa side at the temporary village of Tah-me-ha, the Pike Fish.[1] Him Major Forsyth gave some powder and also some "milk," as the Major calls the whisky, which he assures us was necessary to give to all Indians to completely satisfy them.

On the 13th the village of Chief Wabasha (then often called "the Leaf") was reached, near the present site of Winona, upon what was long known as Wabasha's Prairie. A landing was made and Major Forsyth gave a long talk to the chief, assuring

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[1]According to Taliaferro, Minnesota History Society Collection, vol. vi., p. 197. Other writers identify this Indian as Ta-mah-hah (accent on second syllable), or the Rising Moose, mentioned by Pike as "my friend," and who was ever the faithful ally of all Americans. Tah-ma-ha (accent on first syllable) and Ta-mah-hah were both prominent Indian characters, and owing to the similarity of the English spelling of their names their identity has been often confused. Dr. Thomas Foster, a very high authority, considered the two names as meaning the same man. (See Neill, p. 287, et seq.)

him of the pacific and benevolent intentions of the members of the expedition and of all Americans generally.

"I told him," writes the Major, "that the President of the United States had sent me to acquaint the Sioux that the troops he saw encamped on the island were sent up to build a fort at the mouth of the River St. Peter's; that he must not think that anything bad was intended; that the fort would be a place where any little thing they wanted repaired by the blacksmith would be attended to, and it would also be a place of trade; that their enemies would not be allowed to injure any of the Sioux at or near the fort, but, at the same time, the Sioux must not injure any of the Chippewas that might visit it. 'And here [pointing to Colonel Leavenworth] is the chief of the soldiers belonging to your Great Father, and if at any time any of his young men do anything wrong to you, complain to him.'"

Major Forsyth took especial pains to impress upon the chief and his followers that the Americans were very numerous and powerful and must not be trifled with, although their Great Father had forgotten that many of Wabasha's band had assisted the British during the War of 1812. Concluding the major said to Wabasha: "Here is a blanket, a pipe of tobacco, and some powder. This present is but little, but you well know that I have many children to see before I return home, and I must give a little to every one." "He accepted of the presents with thanks," says Major Forsyth, "and after sundown he came aboard of my boat and conversed with me on many subjects. This man is no beggar, nor does he drink, and perhaps I may say that he is the only man in the Sioux nation of this description."

Lake Pepin was "crossed with ease" on the 18th, and the next morning Major Forsyth had "a little talk" with Chief Red Wing at his village. "I gave him some goods. He was much pleased with his presents. His son [whom the Major encountered at Prairie du Chien] is exactly what I took him to be—a trifling, begging, discontented fellow." This day, after making twenty-four miles, the expedition encamped at the mouth of the St. Croix, which is described as "a larger river." On the evening of the 20th a landing was made at Medicine Wood, probably near

Gray Cloud Island. The journal says: "Medicine Wood takes its name from a large beech tree, which kind of wood the Sioux are unacquainted with, supposing that the Great Spirit placed it there as a genius to protect or punish them according to their deserts." This is the first and perhaps the only recorded instance of the existence of a beech tree in Minnesota, and it might therefore properly have a "medicine" character, that term being Sioux for the supernatural or deeply mysterious.[1]

On the 21st, Major Forsyth, in his boat, and Colonel Leavenworth, in his barge, going ahead of the main fleet, landed at the village of Little Crow. The real name of this chieftain was Che-tan Wahkoota Manne, or the Walking Hunting Hawk. Little Crow was, in effect, but the royal title which he assumed upon taking the chieftainship of his band. His father and his grandfather, according to Long, were each named Little Crow. This was the grandfather of Tah O-yah-ta Dootah, the Little Crow of 1862 and of notorious memory generally.

At the time of the visit of Major Forsyth and Colonel Leavenworth, Little Crow had but a small band, of about seventy warriors, and in all about two hundred men, women, and children. They dwelt in very comfortable cabins or shacks, with palisaded walls of tamarack poles, and the roofs were of brush, covered with bark. The chief had a large cabin, some thirty feet in length, divided into two rooms. The cabins were all clustered and snuggled against the rocky bluffs in the eastern limits of St. Paul, in the vicinity of the present State Fish Hatchery. In summer the band, or many of its members, temporarily occupied tepees upon the summits of the bluffs, on the present site of Indian Mounds Park.

Forsyth and Leavenworth had an interview and "a talk" with Little Crow, and Forsyth writes: "His independent manner I like. I made him a very handsome present, for which he was very thankful, and said it was more than he expected."

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[1]Beltrami, in his "Pilgrimage," Vol. ii., p. 197, notes the Medicine Wood, and says: "This is a beech, a tree unknown in these countries, and which the savages venerate as a god."

Head winds forced the fleet to remain at Little Crow's village (called Kapogha) the greater part of two days. But on Monday, August 23, at 4 P. M., Forsyth arrived at the mouth of the St. Peter's, and the following day was joined by Colonel Leavenworth in his barge, the other boats arriving later. As had been stated, the boats were propelled by poles, oars, and sails. They were called batteaux by the French and "Mackinaw boats" by the English and Americans, because of their first use by the traders of Michilemackinac. Each boat carried a large sail mounted amidship. The sail was serviceable on the lakes, but rarely of utility on the river, and was often a hindrance because of contrary winds. Upon landing, Colonel Leavenworth lost no time in setting about his duties. Forsyth says:

> Tuesday, August 24. This morning Colonel Leavenworth arrived in his barge and was busily employed almost all day in finding a proper place to make an establishment. He at length pitched on a place immediately at the mouth of St. Peter's river, on its right bank, where, on the arrival of the soldiers, they were immediately set to work in making roads up the bank of the river, cutting down trees, etc.

The first tree on the camping ground was felled by Daniel W. Hubbard, one of the soldiers. In a comparatively short time, ample quarters, all log cabins, had been prepared for the accommodation of the troops then present, and the work of clearing the ground was continued in anticipation of the imminent arrival of a considerable number of recruits known to be en route.

The expedition did not arrive in very good condition. Major Forsyth writes:

> Colonel Leavenworth set out from Prairie du Chien with ninety-eight men, and on his arrival at the St. Peter's upwards of one-half were sick. These men were only sixteen days on the water, but let any man travel in a boat on the Mississippi for a considerable time, during a very warm summer, drinking very bad water, sleeping out in the dews to avoid being devoured by mosquitoes, and getting but little rest during the short nights, and then say that such hardships are not sufficient to ruin the constitution of any man. It must be people who have been bred to the like who are able to withstand and overcome such hardships.

En route, at the mouth of the Ouiscensin River, the wife of Lieutenant Nathan Clark gave birth to a daughter, who was christened Charlotte Ouiscensin Clark, who afterwards became Mrs. Charlotte O. Van Cleve.

On the evening of the next day after his arrival, Major Forsyth was visited by Pinichon and White Turkey, two Sioux sub-chiefs, and a number of their followers, whose villages were a few miles up the Minnesota. They were eager for their presents, which they knew the Major had for them, and although it was late when they arrived they importuned him to begin the work of distribution. They were sent away and told to return the following day, "when, after a long talk," says Major Forsyth, "I gave each of them a very handsome present, and they returned home, apparently satisfied."

The Indians of the neighborhood fairly swarmed in for their presents. On the 26th came three sub-chiefs, each with his band, viz: Shakopay, or Six, whose village was thirty miles up the St. Peter's, where the city of Shakopee now stands; the Arrow, whose village was twenty-four miles above Shakopay's, and the Red Eagle, whose village was six miles above Arrow's. "I gave them the remainder of my goods," writes Major Forsyth, "yet the Six wanted more. I found, on inquiring, that Mr. Six is a good-for-nothing fellow and rather gives bad counsel to his men than otherwise." In his letter to Governor William Clark of the then Missouri Territory, the Major says that Chief Six "clamored for presents, and rather ordered than requested that I would write on to the Great Father, the president, to send him plenty of kettles, guns, etc. He is, as I am informed, a troublesome, good-for-nothing fellow." "In all my talks with the Indians at the St. Peter's," writes Major Forsyth, "I generally told them the same that I had told the Leaf (meaning Chief Wabasha) and in all cases I had to give each band a little whisky. These are the last Indians I am to see in this quarter; therefore, I am done with the Sioux for this year."

On Saturday, August 28, a party composed of Colonel Leavenworth, Major Forsyth, Major Josiah Vose, Surgeon Purcell, Lieutenant Nathan Clark, the wife of Captain George Gooding,

and an escort of soldiers, visited the Falls of St. Anthony. The excursion was made in Major Forsyth's boat, which was manned by the soldiers. The appearance and character of the Falls at that time are thus described by Major Forsyth:

* * * The sight to me was beautiful; The white sheet of water falling perpendicularly. as I should suppose about twenty feet, over the different precipices; in other parts rolls of water, at different distances, falling like so many silver cords, while about the island large bodies of water were rushing through great blocks of rocks, tumbling every way, as if determined to make war against anything that dared to approach them. After viewing the Falls from the prairie for some time, we approached nearer, and by the time we got up to the Falls the noise of the falling water appeared to me to be awful. I sat down on the bank and feasted my eyes, for a considerable time, in viewing the falling waters and the rushing of large torrents through and among the broken and large blocks of rocks thrown in every direction by some great convulsion of nature. Several of the company crossed over to the island above the Falls, the water being shallow. Having returned from the Island, they told me that they had attempted to cross over the channel on the other side of the island, but that the water was too deep; they say the greatest quantity of water descends on the other [northeast] side of the island.

Concerning the personnel of the members of this excursion party, it is to be said that Major Josiah H. Vose was a Massachusetts man who served as captain and major during the War of 1812, and at its close in 1815 was appointed captain and brevet major in the Fifth Infantry. He died at New Orleans in 1845 as colonel of the Fourth Regular Infantry. Dr. Edward Purcell was a Virginian, who had been appointed surgeon of the Fifth Infantry in 1818, and became post surgeon at "Fort St. Anthony" in the following year. He died at Fort Snelling January 11, 1825. Lieutenant Nathan Clark was a Massachusetts man, who had served in the regular army during the War of 1812 and was post commissary at Fort Snelling for eight years. He died at Fort Winnebago, Wisconsin, in 1836, having attained the rank of major. Mrs. Gooding was the first white woman to see St. Anthony Falls. Colonel Leavenworth and Major Forsyth have heretofore been sketched.

On the 29th Major Forsyth and Colonel Leavenworth went up the "Minnesota" to the villages of Pinichon and White Turkey to buy horses, but found that the Indians had but few, and none to sell. The next day Major Forsyth set out on his return to St. Louis. He was accompanied by Colonel Leavenworth as far as the upper end of Lake Pepin, where he met the long expected recruits. Major Forsyth writes:

> Wednesday, September 1. This morning we heard the report of a cannon on the other side of an island. The Colonel [Leavenworth], who was on board of my boat, said that those must be the expected recruits. We immediately weighed anchor and ascended to the upper part of the island to get into the other channel and head off the boats. We met two large boats and a batteau with one hundred and twenty recruits on board.

With the re-enforcement of the recruits the troops at the St. Peter's consisted of two hundred and eighteen men, rank and file. While this was not a very formidable force, it was sufficient to enforce the authority of the United States in this quarter, and their commander was determined to do his duty.

Look to yourselves Englishmen! You who have so long remained in the Minnesota country in defiance of and covert hostility against American authority, are called to account. No longer may you unmolest and undisturbed, carry on your illegal traffic and stir up sedition and incite ill will among the red men against their American Father and his people. You must cast off your allegiance to Great Britain and become loyal American citizens, or you must leave the country and stand not upon the order of your going.

One interesting item in connection with the founding of Fort Snelling is that the transportation of troops from Detroit to the St. Peter's cost the government less than would have their maintenance in quarters at Detroit for the same length of time. The Secretary of War presents this comparison: The total cost of the transportation of troops and stores and of the means of transportation, boats, teams, etc., was $43,568.16, while the expenses of the troops, had they remained at their former station, would have been $39,384, and the value of the boats, etc., was

$5,000, making a total of $44,384, or a balance in favor of the expedition of $815.84.

Colonel Leavenworth called his first cantonment, or establishment, New Hope. There was a great propriety in the name, for it was the foundation of a new hope for the country and the opening of a new era for its improvement and general welfare. Cantonment New Hope was on the flat land, on the south bank of the St. Peter's, half a mile from its mouth. Practically it was at the confluence of the St. Peter's and the Mississippi—at the meeting of the waters, or "Mine-dota," as the Indians called it. The quarters were all log cabins, and their building, which was prosecuted through the fall months, was a work of hardship and difficulty. The logs were cut in the surrounding forests, and as there were no teams to haul them they had to be carried, often at a considerable distance, by the men. Stone had to be quarried and shaped for chimneys and fireplaces, wells dug, and a hospital constructed, involving hard and toilsome labor.

The winter of 1819-20 was very cold and was severely felt by many of the men, who had never before lived in this latitude. In December there came upon the garrison a dire visitation which became fairly a calamity. Scurvy broke out among the troops and grew very virulent in its form and fatal in its effects. It assumed the character of an epidemic, and as it progressed nearly every man was stricken. Before it had passed, according to Major Taliaferro, forty men had died. How many became invalided and were forced to leave the service is not known. At one period the plague was so prevalent that for several days garrison duty was suspended, there being barely well men enough in the command to attend to the sick and the interment of the dead. When the disease entered upon its last stage its fatal termination was often very sudden. Soldiers who were in apparently good health when they retired at night were found dead in their beds the next morning. Joseph R. Brown, who was a drummer boy of the garrison at the time, writes that on one occasion a plague-smitten soldier, who was on sentinel duty ("two hours on and two hours off post"), upon being temporarily relieved, stretched himself on a bench in the guard-room and, four

hours later, when he was called to resume his post, he was dead. The fate of the poor victims of the epidemic was sad, but most honorable. They passed away on a remote frontier, amid a wilderness and under circumstances of privation and general distress, and were buried in obscure and lonely graves whose location has long been unknown. But they were American soldiers and died in the service of their country, and there can be no more glorious death. The possession of the country demanded sacrifices, and these gallant spirits were the first martyrs to the cause of the development and civilization of Minnesota and the northwest.

Colonel Leavenworth and Surgeon Purcell made every possible effort to arrest the disease, and finally succeeded by administering spruce tea and other vegetable decoctions. Vinegar and other anti-scorbutics were also procured from Prairie du Chien by runners sent down for them. There were no vegetables in the commissary department, and the rations were pickled pork, beans, bread, and "small hominy," or coarsely cracked corn, with a little rice and molasses. Coffee was not then used. Occasionally fresh meat, of the wild game of the region, was brought from the Indians or obtained by hunting. General Sibley was of the opinion, from what he learned from Joseph R. Brown and others, who were members of the garrison, that the disease was caused by the bad quality of the provisions, especially of the pork, which had been spoiled by the villainy of the contractors and their agents. To lighten the weight of the heavy barrels of mess pork and make their transportation in the keel boats from St. Louis easier, the rascals upon setting out, drew off the brine; but, before delivering them at St. Peter's, refilled them with river water, and the fraud was not detected until the scamps had made their departure from the country. As a result, the meat became of very bad quality and fairly poisoned the systems of those who ate it.

In the spring of 1820 Colonel Leavenworth began the erection of the permanent post on the high plateau on the north side of the Minnesota, where it is still situated. In the month of May he removed his command to the crest of the Mississippi

bluff, a little to the northward of the site selected for the post and convenient to a spring which furnished a bountiful and excellent supply of pure water. From this circumstance the colonel called his new encampment Camp Coldwater. The men were quartered in tents during the spring and summer, but spent the late fall and winter months in their former log cabins at New Hope.

Meanwhile the construction of the buildings which were to comprise the new fort went on. September 10 of this year (1820) the cornerstone of the commandant's quarters, commonly termed the cornerstone of the fort, was laid. The previous spring the horses and cows left by Colonel Leavenworth at Prairie du Chien were brought up by Jean B. Faribault, the well-known trader, and became of much service to the garrison. In August Colonel Leavenworth, who had been transferred to another regiment (the Sixth Infantry) and ordered to the southwest, turned over the command of the post to his superior, Colonel Josiah Snelling, the commander of the Fifth Regiment who had been ordered to the post to complete it.[1]

Philander Prescott, who came to the St. Peter's cantonment in the winter of 1819-20, as clerk for the sutler, a Mr. Devotion of Detroit, and who passed the rest of his life in Minnesota, did valuable service for history in writing his reminiscences of early days in the northwest while he was in full recollection of them. He wrote in 1861 and was murdered by the Sioux in the great outbreak of 1862. His manuscript was printed in volume vi. of the Minnesota Historical Society Collections. pp. 475. *et seq.* Mr. Prescott was a young man of

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[1]Colonel Josiah Snelling was born in Massachusetts in 1782. He entered the army in 1808 as first lieutenant. The following year he was promoted to captain. He served with credit at the battle of Tippecanoe in 1811, and during the War of 1812 was quite distinguished. For gallantry in action at Brownstown he was brevetted major. In 1818 he was made lieutenant-colonel and in the following year became colonel of the Fifth U. S. Infantry. He completed the post at the St. Peter's, which was named for him in 1824 by General Scott. In the summer of 1827 Colonel Snelling and his regiment were ordered from Fort Snelling to St. Louis, and in August of that year, while temporarily in Washington, the Colonel died of brain fever.

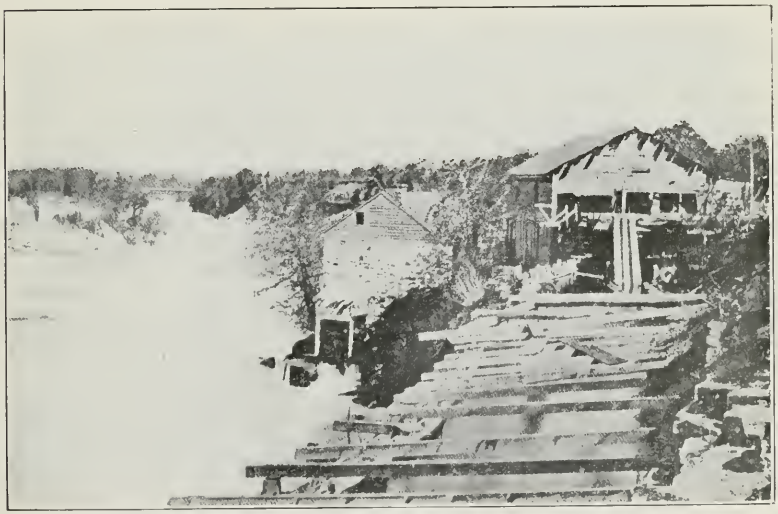
nineteen when he came to the country, having been born at Phelpstown, New York, in 1801, but he had a good education and was always clearheaded, intelligent, and reliable.

According to Mr. Prescott, who was on the ground at the time, there was not much done toward the building of the fort in the summer of 1820. A few soldiers were employed in cutting trees and hewing timber, which was hauled to the site selected. This site, as chosen by Colonel Leavenworth, was three hundred yards west of the one finally determined upon and where the fort was constructed. Although the buildings of the post were to be mainly of logs, a considerable quantity of boards and other sawed lumber was needed. The first lot of this material used was cut with whipsaws, worked by two men to each saw.

It was determined to build a sawmill in the vicinity, and as steam was not in use for the machinery of a mill at that time, the motive power had to be water. It was necessary to find a suitable site for a mill. An examination of the "little falls" or Brown's Fall (now called Minnehaha) was made, but as the little stream which furnishes the water for the cataract was very low that summer, and could not be depended upon to furnish a sufficient volume of water, a certain site at the great St. Anthony Falls, on the west bank of the river, was selected. In his autobiography, printed in volume vi. of the Minnesota Historical Society's Collections, Prescott says:

> An officer and some men had been sent up Rum River to examine the pine and see if it could be got to the river by hand. The party returned and made a favorable report, and in the winter (1820-1) a party was sent to cut pine logs and to raft them down in the spring. They brought down about two thousand logs by hand. Some ten or fifteen men would haul on a sled one log, from one-fourth to one-half a mile, and lay it upon the bank of Rum River. In the spring, when the stream broke up, the logs were rolled into the river and floated down to the entrance of Rum River into the Mississippi, where they were formed into small rafts and floated down to the falls. In the summer, or early fall, Colonel Leavenworth was ordered to the Missouri River. The plans for the fort had been prepared by him, but were somewhat altered by Colonel Snelling, who moved the location to the present site. The sawmill was commenced in the fall and winter of 1820-1 and finished in 1822, and a large quantity of lumber was

MINNEHAHA FALLS—1900.



OLD GOVERNMENT MILLS AT ST. ANTHONY FALLS.

made for the whole fort and for all the furniture and outbuildings. All the logs were brought to the mill or the landing by hand, and hauled from the landing to the mill by teams. The lumber, when sawed, was hauled from the mill to the fort by the teams. Lieutenant William E. Kruger lived [at the mill?] and had charge of the mill party.

The tract of Rum River timber, where some of the logs mentioned were cut, was presumably about four miles north of Cambridge, Isanti County, near a small stream. Daniel Stanchfield, the pioneer lumberman, who was on the ground in 1847-8, writes:

I logged there two years, which was the first lumbering upon a large scale on Rum River. A part of the lumber for building Fort Snelling, however, had been cut on the same lake; for we found on its shores the remains of an old logging camp which had been there many years. In its vicinity pine trees had been cut and taken away, and the stumps had partially decayed. Logging had also been done at the same early date in the "Dutchman's Grove."

The sawmill was completed in 1821. It was equipped with a quick-acting upright saw, known among lumbermen as a muley saw. The area of the mill was about fifty by seventy feet. It stood on the west bank of the river, now the center of the great milling district of Minneapolis.

In 1823, near the sawmill, a gristmill was completed. Colonel Snelling was experimenting in grain-growing. He had sown a field of wheat and planted a considerable cornfield, with a view of obtaining fresh breadstuffs for his troops. To aid in the enterprise the commissary of subsistence at St. Louis, by order of the commissary-general at Washington, sent to Colonel Snelling a pair of buhr millstones, 337 pounds of plaster of Paris, and two dozen sickles, all of the value of $288.33. The little gristmill was only about sixteen or eighteen feet square. Colonel Snelling's venture in grain-raising was fairly successful, but the wheat, which persumably was threshed with flails, was not properly taken care of. Mrs. Ann Adams writes:

Colonel Snelling had sown some wheat that season [1823], and had it ground at a mill which the government had built at the falls, but the wheat had become mouldy or sprouted, and made wretched,

black, bitter-tasting bread. This was issued to the troops, who got mad because they could not eat it and brought it to the parade-ground and threw it down there. Colonel Snelling came out and remonstrated with them. There was much inconvenience that winter—1823-4—on account of the scarcity of provisions.

The gristmill was operated by the military authorities in a sort of desultory way until in 1849, when it was sold for $750 to Robert Smith of Illinois, by whom is was rented to Calvin A. Tuttle, who operated it until 1855. According to the *Minnesota Pioneer* of February 20, 1850, during the season of 1849 there were four thousand bushels of corn ground here for the Indian trade and the settlers, "and about the same quantity remains to be ground." The sawmill was then undergoing repairs in preparation for its operation the following season.

Upon the completion of the fort, Colonel Snelling named it Fort St. Anthony, presumably for its proximity to St. Anthony Falls. In 1824 General Winfield Scott, then the inspector-general of the American army, while on a general tour of inspection and observation, visited the post and remained some days. He was so impressed with the efficiency of the work that upon his return to Washington he recommended that the fort be named in honor of its commander, and it was so ordered by the Secretary of War, and ever since the post has been called Fort Snelling. Regarding the change in name, General Scott, in his report to the War Department, said:

This work, of which the war department is in possession of a plan, reflects the highest credit on Colonel Snelling, his officers, and his men. The defenses and, for the most part, the public storehouses, shops, and quarters, being constructed of stone, the whole is likely to endure as long as the post shall remain a frontier one. The cost of erection to the government has been the amount paid for tools and iron and the per diem paid to soldiers employed as mechanics. I wish to suggest to the general-in-chief, and through him to the war department, the propriety of calling this work Fort Snelling, as a just compliment to the meritorious officer under whom it has been erected. The present name [Fort St. Anthony] is foreign to all our associations, and is, besides, geographically incorrect, as the work stands at the junction of the Mississippi and St. Peter's Rivers, eight miles (sic) below the great falls of the Mississippi called after St. Anthony.

Colonel Snelling had built the fort diamond shaped because of the shape of the site, lying in the angle formed by the junction of the two rivers. The first row of barracks was of logs; the other buildings were of stone. Many years later all the buildings were surrounded by a high stone wall.

In March, 1819, Secretary Calhoun appointed Lawrence Taliaferro,[1] a recent lieutenant in the army, "agent of Indian Affairs at St. Peter's, near the Falls of St. Anthony." With the permanent establishment of the post would come the permanent supervision of the Indian tribes in this quarter by the government and the maintenance of its authority generally. Major Taliaferro's selection as the government's agent was well justified by the results. He was scrupulously honest himself, and demanded that everybody else should be. He soon had great influence over the Indians and managed them well. Uniformly he gratified their penchant for "big talks" or councils, and was otherwise considerate of their wishes, but at the same time he impressed them with proper respect for the American government and a friendly regard for its citizens. He had inordinate self-esteem and was sometimes ridiculed or denounced

[1]Lawrence Taliaferro, who was Indian agent at Fort Snelling from the fall of 1819 to January, 1840, was prominently identified with and a leading character of early Minnesota history. He was a native of Virginia, of remote Italian ancestry, and was born February 24, 1794. He served in the regular army during the War of 1812, with the rank of lieutenant, and when, at the close of the war, the army was reduced to a peace footing, he was retained in service. He resigned from the army to become Indian agent. On retiring from the agency he went to his home, at Bedford, Pa., where in 1857 he was appointed United States military storekeeper and held the position until 1863, when he resigned and was placed on the retired list, "for long and faithful service to the republic." He died at Bedford, January 22, 1871, aged seventy-seven. He left in Minnesota a half-blood Sioux daughter, named Mary, whom he always recognized and who married Warren Woodbury, afterward a citizen of St. Paul. During the entire time of his service at Fort Snelling Major Taliaferro kept a minute diary of events and his journal is in the possession of the Minnesota Historical Society. In 1864 he wrote an autobiography, which appears in volume vi. of the Society's Collections. Concluding his sketch, he writes of himself as "One that has uniformly tried to do his duty to God and his fellow man. * * * A member of the order of F. and A. Masons; a deacon in the old school Presbyterian Church of Bedford, Pa., in good standing; placed by the president, in August, 1863, on the retired list of the army, and now [1864] in his seventy-first year."

for his egotism; but this weakness kept him honest, upright, and faithful; he was too proud of himself to do anything dishonorable or ignoble. His personal accomplishments were many, and his journal and other writings have been of great service to northwestern history.

The building of Fort Snelling was an epochal event in the civilization of Minnesota. The fort was a base of operations for the exercise and maintenance of American authority over the country, and became the nucleus of settlement and development. Here were established the first institutions of enlightenment. Here the first church services were held and the first school was taught. It was the support of missionaries and the rendezvous and resting-place of travelers and explorers.

With Fort Snelling as a center, the avenues of development were opened and radiated, and from its gateways the roadways of progress flowed. In plain sight from the battlements of its historic round tower the cities of St. Paul and Minneapolis were laid out. It was long the head of Mississippi River navigation and the prominent northern commercial terminal. It was practically the headquarters and point of approach of the forces that, whether armed with guns and swords or plowshares and pruning-hooks, destroyed barbarism, established civilization in its stead, and made the wilderness blossom as a rose.

Chapter II.

FUR TRADE.

VERY soon after Major Taliaferro took charge of affairs at the St. Peter's the British traders remaining in the country were attended to. Some of them who had been active partisans of the British during the War of 1812, left the country for Canada. Others hastened to declare their intentions of becoming American citizens. No trader was allowed to do business without a license from Agent Taliaferro.

In January, 1822, Major Taliaferro learned that one J. B. Mayraud, a Canadian, was trading without a license at Perkins's saw-mill on the Black River, in what is now Wisconsin, and that M. Montreville, another foreigner, had posts in the Lake Pepin region. Captain Thomas McNair[1] of Prairie du Chien, was sent to arrest the Black River trader, but old Joe Rolette tried to frustrate the arrest by sending Alexis Bailly to warn Mayraud. Michael Dousman was sent to seize the Montreville posts. All the stores were broken up, their stocks confiscated and the offending traders sent out of the country.

Thereafter many Canadian traders resorted to craft and fraud to obtain trading permits in the American country. Judge James H. Lockwood, who was a trader in Wisconsin and Min-

[1]Thomas McNair was of "the fighting McNair's," a prominent pioneer family of Missouri. He was captain of a company of Rangers, and a noted Indian fighter. His uncle, Alexander McNair, was an early Governor of Missouri.

nesota from 1816 until many years later, thus describes these fraududent schemes:

> The British traders who wanted to get into the Indian country had only to employ an American, and to him the goods were invoiced and the license taken in his name. The trader went as interpreter until beyond the Indian Agencies when he assumed control of the property and carried on the business as usual.

But while a few of these rascally aliens succeeded in evading the American laws and regulations, and realized some profit from their illicit trade, they did not, as in former times, distribute British medals and flags among the Indians, nor try to stir up sedition and rebellion against the Americans, and so no very serious harm was done.

In 1826 the authorities of the fur companies filed with Agent Taliaferro a list of their established trading posts in the Minnesota country and received licenses therefor.

> The Columbia Fur Company's posts were Fort Adams, at Lac qui Parle; Fort Washington, at Lake Traverse: Fort Union, Traverse des Sioux; Fort Factory, at Mendota; Fort Barbour, at St. Croix Falls; Fort Bolivar, at Leaf Lake, and Fort Confederation, at the second forks of the Des Moines River.
>
> The American Fur Company's trading stations were called, Fort Calhoun, at Leech Lake; Fort Columbia, at the upper sand hills on the Cheyenne River; Fort Biddle, on Crow Island; Fort Rush, at the mouth of the Chippewa River; Fort Pike, at Red Lake; Fort Rice, at Devil's Lake; Fort Greene, below Big Stone Lake; Fort Southard, at the forks of the Red Cedar River; Fort Lewis, at the Little Rapids of the St. Peter's near the present site of Carver, and Fort Benton, at Sandy Lake.
>
> Among the Indian traders licensed this year were Philander Prescott, at Leaf River; D. Lamont, Mouth of the Minnesota; Joseph Renville, Lac qui Parle; Benjamin F. Baker, Crow Island, Upper Mississippi; Duncan Campbell, St. Croix Falls; John Campbell, mouth of the Chippewa; William Dickson and Hazen P. Mooers, Lake Traverse; Louis Provencalle (or Le Blanc) and Francois Grandin, Traverse des Sioux.

The names of these trading posts were reasonably magnificent and impressive, and high sounding, but the places themselves were really modest and unpretentious. There was no pretense of a real "fort"—that is to say, a fortification—about them.

They were built for trade in time of peace; not for defense under the circumstances of war. Commonly a trading post consisted of one or two log buildings with but one story and one room each. The trader or his clerk usually slept in his store. A few of the posts were more formidable in character. At Lake Traverse there were several buildings, and the main house had a palisade wall. The "factory" of the Columbia Company, at Mendota was a somewhat elaborate structure in its arrangement, as was becoming to the headquarters of the great corporation.

According to the records of Major Taliaferro, the following were the Indian traders licensed by him to trade in the Minnesota country in 1833-34:

Alexis Bailly, at Mendota; Joseph R. Brown, on the Minnesota at the mouth of the Chippewa, and Oliver's Grove at the mouth of the St. Croix; Louis Provencalle and Philander Prescott, Traverse des Sioux; Jean Baptiste Faribault and James Wells, at the Little Rapids of the Minnesota, near Carver; Hazen P. Mooers, Lac Traverse; Joseph Renville, Lac qui Parle; Benjamin F. Baker, ("Blue Beard.") Fort Snelling; Joseph Renville, Jr:., Little Rock, on the Minnesota, (five miles below where Fort Ridgely was subsequently built;) William A. Aitkin, Fond du Lac; Alfred Aitkin, Sandy Lake; John Aitkin, Prairie Percee; Amhrose Davenport, Gull Lake; William Davenport, Leech Lake; Allan Morrison, Mille Lacs; George Bonga, Lac Platte; J. H. Fairbanks, Red Cedar Lake; William Stitt, Lower Red Cedar Lake; Louis Dufault, Red Lake; Lyman M. Warren, La Pointe, Wisconsin; Chas. Wolf-Borup, Yellow Lake. The "factory," or headquarters, of the American Fur Company was in charge of Alexis Bailly in 1833, but in 1834 he was superseded by Henry H. Sibley. The trading posts in the foregoing list from William A. Aitkin's, at Fond du Lac, to Borup's, at Yellow Lake, were in the country of the Chippewas; the others were in the Land of the Dakotas, or Sioux.

UNDER TERRITORIAL CONTROL.

In 1805 the country previously called "Upper Louisiana," was organized into Missouri Territory. In 1820, after the admission of Missouri as a State, the country beyond its northern boundary, comprising what is now Iowa and all of Minnesota west of the Mississippi, was, for several years, without organized government; but in 1834 Congress attached this great expanse of

territory, for governmental purposes, to Michigan. In 1836 Wisconsin was organized, comprising all of Michigan west of Lake Michigan. In 1838 Iowa Territory was formed, embracing all of the old Missouri Territory beyond the north boundary line of that State.

Up to about 1840, however, what is now Minnesota was practically a "No Man's Land." There were so few white people in the country that there was no attempt at exercising civil jurisdiction over it. The only laws enforced were the rules of the fur companies and the law of the sword administered by the commandant at Fort Snelling.

In 1838 Henry H. Sibley, then the chief factor of the fur company, and residing at Mendota on the west bank of the Mississippi, was commissioned a justice of the peace of Clayton County by Governor John Chambers of Iowa Territory, of which county and Territory the young magistrate was a citizen.

In 1835 George W. Featherstonhaugh, an English geologist, under the authority of the United States Government, made a geological survey of Minnesota. While at Fort Snelling Mr. Featherstonhaugh, in furtherance of his researches into the conditions of the country at the time, addressed to H. H. Sibley, the factor of the fur company, a series of questions. The manuscript containing the interrogations and the answers, in the handwriting of the parties, are still in existence among the Sibley Papers, in the archives of the Minnesota Historical Society.[1] Following is a copy, never before published:

Mr. Featherstonhaugh requests the favor of Mr. Sibley to answer the following queries, the answers to be addressed to him at Fort Snelling:

1. What is the nature of the settlement ot Pembina—the population, their pursuits? Answer. Formerly there was a village at Pembina of some thirty or forty families, principally French Canadians from Red River settlements; but seven or eight years ago it was evacuated, on account of the frequent visits of hostile Indians, and has never been re-occupied except for one or two seasons as a trading post.

2. Do British subjects avail themselves of the great distance of Fort Snelling and the non-appearance of the United States troops on

[1]See File No. 1, 1830 to 1840.

the frontiers to trade with the Indians in the territories of the United States? Answer. Except in one or two instances, I believe they do not. In the fall of 1833 a trader from the Red River settlement made his appearance, with an equipment of goods, upon the River Cheyenne, with the intention of trading with the Sioux Indians; but, having been informed that an application had been made by the traders of the American Fur Company to the Government agent at Fort Snelling for the seizure of his goods, and that a party of soldiers were on their way to the Cheyenne for that purpose, he speedily decamped and returned to Red River. Since that time no British trader, to my knowledge, has appeared on our side of the line. But by underselling the American traders, which they can well afford to do, and by the use of ardent spirits, which is not an interdicted article among them, the British Hudson's Bay Company have the advantage on the frontier where they come in contact with our Company, and entice our Indians to cross the line and trade on British ground. I am not aware that their people are in the habit of trading in the territories of the United States.

3. What do they pay the Indians in, the kind of goods, and the quantity annually introduce? Answer. Blankets and cloths are the articles principally made use of in the Indian trade, or at least wherever there are regular trading posts established.

4. What bands of Indians keep up the English connection most? Answer. It must appear evident to any one who has resided for a length of time among the Indians that there exists among them all, with perhaps the exception of two or three tribes, a latent affection for the English government. They often compare their present condition with what it was when this section was under British domination, and as often wish that the latter could regain possession. This remark applies to the north and northwestern tribes alone, for I am too little acquainted with the southern Indians to hazard an opinion as to their present disposition towards our Government. The Chippewas, the Pottawattamies, the Ottawas, and some of the Menominies, with a portion of the Sacs and Foxes have, until within a very few years, received annual presents to a large amount from the British government, and the two former continue to receive them. These presents are now delivered them at Penetanguishine, on the eastern course of Lake Huron, and Chippewas from the very head of Lake Superior may be encountered every year who are on their way to see their English father and participate in his bounty.

5. What measure would you recommend to suppress the introduction of British traders and goods and protect the United States Companies? Answer. The answer to this question can be given in few words. The relative situation of British and American dealers in furs is simply this: Our woolen goods (which constitute the articles principally made use of in Indian goods) are imported directly from Eng-

land, as they can, of course, be procured there at a much less rate than in our own country, even with the addition of the heavy duties imposed upon them. The Hudson's Bay Company (British) have the very great proportion of the Indian trade of the Canadas in their hands and, annually after their shipments of furs are made to England, export large quantities to the United States. As there are no duties paid upon undressed skins of any description, the holders of these British furs can afford to undersell us, and yet realize an immense profit. By an estimation made a year or two since by the agents of the American Fur Co., it was ascertained that the Hudson Bay Co.'s goods, of the same description used by ourselves, cost them from 60 to 65 per cent. less than they cost us, including the duties and additional cost of transportation—and thus it will be seen, that we are in reality taxed for the benefit of the British merchants. We ask no advantage over them. We merely ask that Congress would put us upon a par by either allowing us a drawback upon the goods which we import, or—what would amount to the same thing—impose such a tax upon imported undressed skins as shall be proportionate to the additional amount we have to pay for our woolens. There is another advantage which the Hudson Bay Company's traders have over us, and one which can only properly be appreciated by persons conversant with the particulars of the Indian trade. I refer to the introduction of ardent spirits, which is allowed to a great extent on the whole line of the Canadian frontier. By our laws this is prohibited; and when it is known how far an Indian will go to obtain spirituous liquors, even in small quantities, the facility afforded to draw our Indians upon British ground can, in some measure, be seen. We do not complain of this, for there is no remedy except by repealing our law interdicting the introduction of ardent spirits, and this we do not ask. On the contrary, it is but a few years since—before, however, the United States law excluding liquor from the Indian country—that a proposition was made by the American Fur Company to the Hudson Bay Company, in London, that each should pledge themselves not to use ardent spirits in the Indian trade upon the frontier. The American Fur Company was referred to the Board of Administration of the Hudson Bay Co., in Canada, for a decision, and by them the proposition was promptly negatived. The instructions of the American Fur Co., now to all those connected with them in trade are, by all the means in their power, to exclude liquor from the Indian country.

6. Are the game and fur becoming scarcer between the Missouri and the line of St. Peter's and Red Rivers? Answer. They are; but a few years since there were taken out of the St. Peters nearly as many packs as there are now, and probably not more.

The traders of the American Fur Company had all along had their trade injured by the practice of the Hudson's Bay

Company in furnishing plentiful supplies of liquor to their Indian customers. As early as in 1824 Major George Boyd, United States Indian agent at Mackinaw, put at least one American trader on a par with the whisky dispensers of the British Company regarding the sale of liquor to Indians. Following is a copy of a permit (never before published) issued by Major Boyd, then a trader of the American Fur Company at Sandy Lake:

At the earnest solicitation of the agent of the Am. Fur Co., and upon his representation that without a small supply of the ardent spirits to be used in his trade upon the extreme northwestern frontier, their trade will be completely thrown into the hands of the British (there being no restrictions by the English government as to the introduction of ardent spirits within the limits of any portion of their Indian county) permission is hereby granted to Mr. Wm. A. Aitkin to take on board his barge at this point the quantity of two barrels of whisky destined for the Northwestern trade, and to report the same on his arrival at the Sault de Ste. Marie to the U. S. Indian agent at that post. Given at Michilmackinac the 25th day of July, A. D. 1824. George Boyd, U. S. Indian Agent.[1]

The permit was never renewed, and in February, 1832, Aitkin wrote to Sibley, who was then stationed at Mackinaw, complaining of the situation as follows:

We are annoyed all over the Country this year by opposition—but after the H. B. Co., our worst neighbors is Baillie's, People, as they are well supplied with High Wines which always Bears a predominant sway in the Indn. trade. How they can Introduce Liquor into the Country while we are prohibited is a thing I cannot understand.[2]

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[1]Sibley Papers, 1830-40, Aitkin.

[2]Aitkin to Sibley, unpublished manuscript, ibid.

Chapter III.

EARLY HISTORY EVENTS.

SACS AND FOXES RAIDS.

IN 1822 and again in 1823 the Sacs and Foxes from Iowa raided the Wahpakoota Sioux, in southwestern Minnesota. At the locality called Sinta-hota (or Gray Tail) between the heads of the Cannon and the Blue Earth Rivers, there was a hot fight on each occasion, the raiders were repulsed. In the battle of the latter year the fight was mainly between the Sisseton Sioux and the Foxes, the latter having their chief Keokuk for leader, and it was in this conflict where Red Chief Soldier, was killed. In the latter part of July, 1831, a band of 40 Sacs from Iowa, attacked some Sissetons on the old battle ground at Gray Tail and killed several of them. Thereafter the Sissetons had their villages nearer the Minnesota River.

LAKE MINNETONKA.

In 1822 Lake Minnetonka was first practically discovered and examined by the whites, Joseph R. Brown, then a soldier of the Fort Snelling garrison, in company with Joseph Snelling—the Colonel's son—and one or two others followed the Minnehaha creek in all its meanderings, from the falls to the big lake. The trip occupied three days. These were the first white men to visit and report upon the now noted water, although it attracted but little attention in early days.[1]

[1]See Neill, p. 331; also, Sibley papers unpublished.

FORT SNELLING IN EARLY DAYS.

Of conditions at Fort Snelling in the early summer of 1823 Count Beltrami writes:[1]

> There are no buildings around the Fort except three or four log houses on the banks of the river (Minnesota) in which some subaltern agents of the Southwest Fur Company live among the frogs. There is no other landing to be had than in the Fort * * * The land around the fort is cultivated by the soldiers, whom the colonel thus keeps out of idleness, which is dangerous to all classes of men, but particularly to this. Each officer, each company, each employe, has a garden, and might have a farm if there were hands to cultivate it. * * * The colonel has rendered the view of the prairies and forests around the fort much more agreeable by the introduction of cattle. The country becomes insipid and heartless in time without these animated objects. He has brought oxen, cows, and horses. There are no sheep, owing probably to the too great severity of winters. * * * There is not a single Indian who has a cow, an ox, or a sheep, and very few have horses; this renders it a matter of indifference to them to burn the grass every year, nor do they care if everything else is burned too.

When in July 1820, Governor Cass visited the fort the garrison had ninety acres in cultivation. The soil was very fertile. Green peas had been ready for the table June 15; green corn a month later, and wheat was ready for the sickle August 1.

The visit of General Winfield Scott to Fort Snelling, in 1824, was a notable incident. At that time he was on a tour of inspection of the government forts throughout the Northwest. He had served with great distinction in the War of 1812, a British bullet was in his body and he carried it unto his grave. He spent a week at the fort as the guest of Colonel and Mrs. Snelling and other friends. With them he visited St. Anthony Falls and made some fishing excursions to the lakes in the vicinity, where the water was so clear "that fish could be seen playing about the hook." Mrs. Snelling named one of the lakes Scott Lake, in the General's honor.

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[1]Pilgrimage, Volume 2, p. 202.

During the winter months in the decade from 1820 to 1830 communication between Fort Snelling and the civilized world was very infrequent. When mail was received it was brought by special messengers from Prairie du Chien, January 26, 1826, Lieutenant Basley and Russell returned from furlough and brought the first mail received by the garrison in five months.

There was an occasional duel between officers at the Fort in early days. One occurred in the winter of 1826, another the following summer, and in 1828 there was an "affair" which well nigh proved fatal to one of the parties. In 1835 Lieutenant James McClure fought and seriously wounded a brother officer who had spoken disrepectfully of the Lieutenant's Indian sweetheart. The wounds of the duellists were accounted for as accidental hurts received while on a hunting party.

EPIDEMICS, BLIZZARDS AND DROUTHS.

In the summer of 1825 there was an epidemic of bilious fever and bloody flux among the Indians. Returning from the Prairie du Chien treaty in three Mackinaw boats, there was much distress among the Sioux delegates. Below Lake Pepin, a Sisseton chief died. At Little Crow's village, near Dayton's Bluff, St. Paul, the sickness among the red men had increased to such an extent that a boat load of them was left, and help sent from the Fort. The remainder of the party, in sad plight, reached the St. Peter's August 30. Agent Taliaferro appointed Mr. Laidlaw to conduct the Yanktons, Wahpatons, Wah-pay-kootas, and Sissetons to their homes, but twelve of them died on the way. Among the Chippewas who died at this time, at the mouth of Sauk River was the wife of Hole-in-the-Day, the first chieftain of the name. She was the mother of Hole-in-the-Day of recent memory.

In February and March 1826 snow fell in the Minnesota country to the depth of two and three feet on a level. Fierce blizzards followed and there was great suffering among the Indians. On one occasion thirty lodges of Sissetons and other

Upper Sioux, in all seventy people, were overtaken by a snow storm and blizzard on the prairie between the Pomme de Terre and the Chippewa River, probably in what is now Swift County. The storm lasted three days and the Indians were completely "snowed in." Provisions grew scarce—and scarcer, and a fresh supply could not be obtained.

At last some of the stronger men with a few pairs of snow-shoes, started through the deep snow and in a howling storm for the trading post at Lake Traverse, eighty miles away. They reached the post only half alive. The traders at once sent four of their Canadian employes and the Indians with provisions and other relief. The travel was so hard that more than a week was passed in making the journey, eighty miles.

When the relief party reached the scene of distress the conditions were found to be terrible. There were many dead bodies lying about unburied and the wretched survivors were feeding upon them. Three or four skeletons were found with the bones picked clean. One young mother, naturally bright, intelligent, and handsome, had eaten her dead children and a portion of her dead father's arms. Her privation had caused her to become insane, nor did she ever recover her reason, although she lived several years afterward. Her name was Ta-shena-ọta-win; in English, "the woman with many blankets." In 1829 she was brought down to Fort Snelling. In September of that year she, on one occasion, approached Captain W. R. Jouett, of the First Infantry, and laying her hands playfully on his shoulders asked him, smilingly: "Do you know what is the best part of a man to eat?" In great astonishment the Captain at once replied, "No!" She rejoined: "I will tell you—the arms. Then she begged the officer for a piece of his servant girl to eat, saying that she was "so nice and fat." A few days afterward she threw herself from the bluff above Fort Snelling into the Mississippi. Her body was found just above the mouth of the Minnesota and decently buried by Agent Taliaferro.[1]

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[1]Minnesota Historical Society Collection Vol. 2, p. 114; also Taliaferro's Journal, unpublished.

The spring of 1826 was very inclement and backward. March 20, there fell a deep snow which drifted in heaps from six to fifteen feet. On the 5th of April there was another violent snow storm, during which there were lightening and thunder. April 10 the thermometer went down to four degrees above zero and the ice was still thick in the Mississippi. On the 14th, only four days latter, there was a heavy rain, and the next day the ice in the St. Peter's broke up although the Mississippi ice remained firm until the 21st, when it began to move and carried away Jean B. Faribault's house on Pike's Island. For several days the rivers were twenty feet above high-water mark and all of the houses on the low lands were washed away. But May 2, Captain Lawrence came to the St. Peter's with the steamboat Lawrence, and everybody was happy. Numerous excursions were made on the boat to the falls and elsewhere, and there was a ball in her cabin every night.

The year 1829 was known as the "dry year." For ten months the average monthly precipitation of rain and snow was one inch. The crops and vegetation about Fort Snelling, were well nigh entire failures. During several weeks of the summer the navigation of the Mississippi was almost impossible. July 27, Lieutenant Reynolds arrived at the fort with a keelboat of supplies; but half of the cargo had been left at Pine Bend before the boat could pass the sand bar at that point, and the trip from St. Louis had occupied sixty days. The arrival was most opportune, for the garrison was eating its last barrel of flour.

During the drouthy summer, Hazen P. Mooers, a trader from Lake Traverse, came down to Fort Snelling, in boats on the Minnesota with 126 packs of furs, valued at $12,000.[1]

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[1]Mooers (or Mooer or Moore, for he write his name in each form) was a Massachusetts Yankee, and at one time was a prominent trader in Minnesota. For some years his establishment was on Gray Cloud Island, in the Mississippi, below St. Paul. The island had been given to his Indian wife, Makh-pea-hota (or Gray Cloud) by her band and is still called by her English name. See Vol. 9. Minnesota Historical Society Collection, p. 427, foot note.

SLAVERY.

In 1826 negro slavery was practically general throughout the United States. At Fort Snelling there were quite a number of slaves of both sexes. Major Taliaferro, had inherited several black bondmen and bondwomen and he hired them to the officers of the garrison. In March his negro boy, William, who was employed by Colonel Snelling, attempted to shoot a hawk but accidentally wounded a white boy named Henry McCullum, the wound being well nigh fatal.

In May, Captain Plympton, of the Fifth Infantry, wished to purchase the Major's negro woman Eliza, but the Major refused to sell her, saying it was his intention to ultimately free all his slaves. He seems, however, to have changed his mind, for he sold one of his men to Captain Gale, and one of his girls, named Harriet, to Dr. John Emerson, the surgeon of the fort. Harriet was married here by Agent Taliaferro, to Dred Scott, then the humble slave of Dr. Emerson, but who subsequently became a historic personage. The Dred Scott case became a *"cause celebra"* and the decision of the United States Supreme Court thereon constitute a most prominent and influential event in American history.[1]

Major Taliaferro brought Harriet to Fort Snelling in 1835 and the following year sold her to Dr. Emerson, who married her to his man Dred. In 1838, when Dr. Emerson was transferred to Jefferson Barracks, he took Dred and Harriet to St. Louis. They had two children, one of which was born on the steamboat Gipsy. After the death of Dr. Emerson, Dred Scott, in 1852, brought suit in the Missouri State Circuit court against the doctor's widow, Irene, for his freedom, contending that having lived in free territory—at Rock Island and Fort Snelling —for four years he had become a free man. The lower court sustained his contention, but the Supreme Court of Missouri,

[1]Dred Scott vs. Sanford, 19 Howard Rep., p. 393; also Scott, a man of color, vs. Emerson, 15 Mo., Rep., 577; edition 1872, p. 387.

one Judge dissenting, reversed the judgment. Mrs. Emerson then sold him to John F. A. Sandford a citizen of New York. In 1853 Dred again sued for his freedom, this time in the United States Circuit court for Missouri reversing his former contention. The case was decided against him and appealed to the United States Supreme Court, a majority of which body, in March, 1857, affirmed the decision. Chief Justice Taney, who wrote the decision, held that a slave was not a citizen and had no standing in a United States Court to sue by himself. As an American citizen could not be made a slave, a slave could not be an American citizen. The Chief Justice also held that the temporary residence of a slave with his master on free soil did not entitle the slave to freedom and incidentally that Congress could not prohibit slavery in the territories. But soon after the decision Dred Scott obtained his freedom. By inheritance he and his family had passed to the family of a Massachusetts member of Congress. In May, 1857, they were emancipated by their then owner, Mr. Taylor Blow. They had been conveyed to him by a Mr. Chaffee for that purpose.[1]

When Dr. Wiliamson established his mission station at Kaposia, near St. Paul, he bought for the use of the mission a negro slave man named James Thompson, from an officer at the Fort.

The only resident of Minnesota who was a slave owner was Alexis Bailly, a prominent mixed-blood trader, who in about 1840 bought a negro man from Major Garland, of the Fort Snelling garrison. The negro died a year or so later.

At first the Sioux did not draw the color line against the negroes. They called them black Frenchmen, ("Wasechon Sapa") laughed at their wooly heads and made merry over them generally.

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[1]Nicolay and Hay's "Abraham Lincoln," Vol. 2, foot note p. 83.

Chapter IV.

SWISS EMMIGRATION.

AT the beginning of the Nineteenth Century, Thomas Douglas, Earl of Selkirk, a wealthy, generous, but somewhat visionary Scotch nobleman, wrote several "tracts" or pamphlets urging the "importance of colonizing British subjects in England's possessions in North America. One result of such measure he argued, would be to check the large emigration of King George's subjects, to the United States, "our late enemies," as the noble lord characterized the American Commonwealths.

In 1811 Lord Selkirk obtained from the Hudson Bay Company a large grant of land for colonization purposes in the lower region of the Red River of the North, in what is now the province of Manitoba. The territory was then called "Assiniboia."

Prior to this time the only inhabitants of the country, besides the Indians, who were largely Crees, were Canadian French and English, all, or very nearly all of whom were men in the service of either the Hudson Bay or the Northwest Fur Company. These men were practically self-exiles, many of whom did not care whether or not they ever returned to their former homes. They were proud of the title, *"the Gens Libres,"* or free men. By long intercourse with the Indians they had learned and adopted all of the red men's vices, but imitated none of their good habits. The offspring of their association with the Indian women was numerous. The males among their mixed blood children were called *"bois brules,"* (burnt wood), from

their complexions. They were athletic, expert hunters and boatmen, accomplished horsemen, and spoke French, English, and the language of their mothers. Many of them were in the service of the fur companies, but the majority lived with and as the Indians, subsisting by hunting and fishing.

From the Selkirk Colony came the first permanent white settler of Minnesota. The relations between the colonists and their successors and our people have always been more or less intimate, and always entirely friendly. No history of Minnesota can be complete without some mention of Selkirk's Red River Colony.

The first colonists, chiefly men, came in the autumn of 1812 from Scotland and settled on the Red River, at the mouth of the Assiniboine, near the present site of Winnipeg. They began the erection of houses for themselves and those who were to come after them, but their work was soon stopped by a party of the Northwest Fur Company's employes, attired in Indian costume. The Northwest Company was intensely hostile towards its great rival, the Hudson's Bay Corporation, and it was also opposed to the settlement and development of the country, "because," as the agents openly said, "this country is not suitable for white settlement, and any attempt will be a failure, and only result in driving away the beavers."[1] The advance party of colonists, all of whom were Scotch Presbyterians, were taken captive by the fur company's men and made to march to Pembina, near the present northern boundary of Minnesota.

Thereafter the colonists suffered greatly. Every attempt at settlement was resisted by the Northwest Company. When a colony succeeded in establishing itself and the members undertook to till the soil, the seed was taken from the earth by countless flocks of blackbirds and other fowls of the air. When the stalks of grain were half grown they were devoured by swarms

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[1]The employes of the Northwest Company were exceedingly restive under the march of improvement, and the proprietors of the Company suspected that it was a ruse of their powerful rival, the Hudson Bay Company, to oust them from the lucrative posts they were occupying." —Neill, p. 305.

of ravenous locusts or grasshoppers that often did not leave a green thing growing. The winters were intensely cold, the seasons generally backward, there were frequent ruinous floods in the Red River, famines were common; while the colonists were continually menaced and often attacked, robbed, and murdered by the emissaries of the Northwest Company.

In the summer of 1815, there were 200 Scotch colonists near the mouth of the Red and Assiniboine, on the west bank of the former stream. The colony was called Keldona for the parish in Sutherlandshire, Scotland where many of the members were born. Houses were built, a mill erected, imported domestic sheep and cattle put to pasture in the great grassy plains, and all the circumstances seemed auspicious. A fort called Fort Douglas, for use in emergencies, planned and was afterwards built, and nine pieces of artillery had been brought to arm it. Directly at the confluence of the Red and Assiniboine, on the west bank of the Red, was a Fort Gibraltar. But one bright sunshiny day everything was changed. Duncan Cameron and Alexander McDonell, themselves canny Scotchmen, but emissaries of the Northwest Company, had succeeded in seducing into the Company's service a number of the colonists. The colony was attacked by the Company's men and all the cannon seized and taken away, and thus the little settlement was practically broken up in a day. A remnant of the people remained, however, and new recruits came.

June 11, a party of Northwesters under Duncan Cameron, armed with muskets, attacked the colony and wounded four members, one mortally. They then seized Miles McDonell, the superintendent, or "governor," as he was called, and sent him to Montreal. A few days later Alexander McDonell commenced new aggressions. He threatened the colonists with death if they continued in the country, seized their horses and cattle, and pillaged their farms. Opposite the Kildonan colony he erected an earth bastion on which he placed two of the captured cannon, declaring he would bombard the colonists houses in three days. He had a little a army of sixty Northwest Canadian servants, clerks and *"bois brules,"* and was about to exe-

cute his threats. The colonists had to surrender, and agreed to leave the country in ten days. They were escorted to Lake Winnipeg by forty Ojibway Indians. The following spring they returned, under the leadership of Colin. Robertson, of the Hudson Bay Company, and were accompanied by a number of newly arrived Scotch Highlanders.

In the spring of 1816, Governor Robert Semple, the chief governor or superintendent of the factories and territories of the Hudson's Bay Company, arrived at Red River. On the 12th of May, as his agent, Pierre Pambrum, was returning from a neighboring post to Fort Douglas with five boat loads of furs and pemmican, the party was attacked and captured by an armed band of the Northwest Company's employes. On the 18th of June the Northwest people attacked Fort Douglas and in the fight that followed Governor Semple and twenty-one of the twenty-eight of his adherents were killed, with all of the features of a merciless massacre. Fort Douglas was then abandoned temporarily. Some of the Northwest Company's men who were in this melee were tried for murder at York, (now Toronto) in 1818, but all were acquited.[1]

Lord Selkirk came to the help of his colony, and renewed and repeated his efforts at permanent settlement and occupation despite the serious obstacles which had been encountered. His intentions were[2] probably well meant, but some of his recruiting agents were unscrupulous and flagrant scoundrels. Their advertising circulars intended to lure innocent people to the inhospitable region of Lake Winnipeg, were models of misrepresensation and mendacity, to be imitated by the advertising writers of land sharks of the present day.

The first emigrants secured for the Red River Colony, were as has been stated, from Scotland, and mainly from the High-

[1]Neill (p. 311) says that Governor Semple was given his fatal wound by an Ojibway Indian, of Minnesota named Ma-je-ga-bow; Schoolcraft says that in 1832 he saw at Leech Lake this Indian who, it was claimed, had shot the Governor after the latter had fallen from his horse.

[2]See "Report of the Proceedings connected with the Disputes Between the Earl of Selkirk and the Northwest Company," (London, 1819) in the Library of the Minnesota Historical Society.

lands. In time this field was worked out. The Highlanders were a simple folk, not well informed in geography and in general conditions, and it was easy to deceive them as to the real character of the country to which they were urged to emigrate. Life in the Highlands was free, but it had few other charms. The people were almost universally poor, with no prospect of improving their futures. It was easy to induce them to leave their "ain country," which they "loved sae weel," for the chance of bettering their own condition and that of their posterity, although their hearts would be "aye" in the Highlands. But, as has been said, there came a time, when the true condition of affairs in the Red River country became known even in the Highlands and emigrants became very hard to secure.

A new field of operations was found in Switzerland and "Captain R. May D." Uzistorf, captain in His Britannic Majesty's service and agent plenipotentiary to Lord Selkirk," as he wrote himself down, was sent to work it. Taking up his quarters at Berne, he distributed his circulars and pamphlets well through all the Cantons of the little republic, where in the mountain districts conditions were similar to those of the Scottish Highlands. An extract, in translation from one of his circulars issued in 1820 pretending to describe the country in Assiniboia, is here given:

> The climate is mild and healthy. The winter is not colder nor longer than in our mountainous districts and the summer is much hotter. The country consists of extensive plains interspersed with mountains, which are not high, by no means rugged, and generally covered with beautiful forests. * * * These immense plains are clothed with the most luxuriant herbage, thus forming fine natural meadows, easy to cultivate; the settler has nothing to do but to throw up the turf with the plough or spade, after which he may immediately sow or plant. The soil is remarkably fertile, the first crop produces from thirty-five to forty-five times the quantity of seed. Every species of corn, potatoes, pulse, vegetables, hemp, flax, tobacco, and all kinds of fruit trees, even the most delicate, grow and thrive there in perfection. Wood either for fuel or building, in short for all the purposes of life, is in the greatest plenty. * * * These immense meadows maintain a prodigious quantity of game of every description, and particularly innumerable herds of wild oxen, which every person is at liberty to kill, or to take alive and tame, thus providing himself with as

much meat and leather as he may want. * * * Numerous salt pits afford to the settlers an easy and abundant supply of this essential article of life and rural economy. In short, whatever is necessary to life may be obtained in great plenty, with much facility and little labor. * * * European cattle, pigs and sheep of the Merino breed have been conveyed thither and thrive well. Excellent native horses may be purchased of the Indians, in any number, at eight or ten crowns each.[1]

Another prospectus, issued at Neufchatel in May, 1820, described the Assiniboia country in terms that might have been applied to Paradise. The trees, it said, broke down under the weight of all kinds of fruit. The buffaloes practically presented themselves at the settlers' doors every morning to be milked or killed or otherwise disposed of as the settlers pleased. "The climate," said the circular, "is like that of the north of Spain or of the Langue d'Oc, and what will grow and thrive in these countries will grow and thrive, far more plentifully in Lord Selkirk's American Colony."[2]

Influenced by the representations of Lord Selkirk's agent plenipotentiary circulars and his personal efforts, a number of Swiss families from the Swiss-French cantons, came to the colony in 1821. They joined the De Meuron settlement, which was composed of a number of Germans who had been discharged from a regiment in the British military service stationed in Upper Canada. The De Meurons, as they were commonly called, were mere mercenaries, ready to engage in any sort of service for pay, and were lawless and turbulent characters. The Swiss were orderly, well disposed people of the poorer class and mostly mechanics. Among them were watchmakers, pastry cooks, musicians and barbers. The united settlement was located on German Creek, or the lower Red River.

The wild, rough character of the De Meurons and the scarcity of food on German Creek, where the settlement was located, darkened the prospects of the poor Swiss, their new homes were destitute of every charm that could win their hearts, and they

[1]Beltrami's "Pilgrimage," Vol. 2. p. 361.

[2]Snelling's "Tales of the Northwest," p. 87.

became very unhappy. They left the settlement and journeyed to the Scotch Colony at Pembina, where they were heartily welcomed. But unhappily provisions were scarce at Pembina. The buffaloes and other game were hard to get and soon there was great destitution, and actual suffering. The tale of distress need not be continued.

In March, 1821, the Northwest and Hudson's Bay Companies united, and there were no longer armed hostility and complications between the two corporations. The long desired event was the death blow of factional strife and rivalry in trade, not only in Red River, but as far and wide as the country extended. It inaugurated a new era in the affairs of the people, and eventually the colony was maintained and enjoyed a fair degree of prosperity.

But while the colonists had no longer to dread the armed attacks of the Northwesters, the elements and other natural forces continued hostile. There were floods and drouths and grasshoppers and blackbirds and wild pigeons, as in the first years, and always discomfort of some sort for many years. As late as June 7, 1836, there was a heavy fall of snow throughout the colony and ice formed "as thick as a penny."[1] On the 19th of August a heavy frost destroyed the growing crops.

In the early winter of 1820, the Pembina colony sent a delegation to Prairie du Chien for seed wheat, which could not be found nearer home. The men set out on snow shoes and reached their destination in three months. The route was by the way of the Red River to Lake Traverse, then down the Minnesota, past Fort Snelling, and thence down the Mississippi. At Prairie du Chien 250 bushels of wheat was purchased at ten shillings ($2.50) per bushel. It was loaded into flat boats, which were, with much hard labor, propelled up the Mississippi to the St. Peter's, thence up that river to the portage near Lake Traverse. The boats and cargo were then transported across to the Red River and floated down that stream to Pembina.

Lord Selkirk bore all of the expenses of this expedition and they amounted to £1,040 sterling. The wheat brought up was

[1] "Ross's "Red River Settlement," p. 187.

sown, but—perhaps because it was not acclimated—it did not ripen well; yet enough was produced for seed the following year, and thereafter "Red River has not been without seed for grain."[1]

In 1827 a number of Swiss families left the Red River Colony to make new homes for themselves within the United States. They were accompanied by several families of French Canadians who had become "Selkirkers." The refugees came down the valley of the Red River,—or up that stream—to Lake Traverse, and thence down the Minnesota (or St. Peter's) to Fort Snelling. Alexis Bailly, and others, who had visited the colonists in their Red River homes had informed them of the superiority of the Minnesota country over the Assiniboine region, and assured them that they would be heartily welcome if they removed to the big, free, hospitable, and favored country of the stars and stripes.

Colonel Snelling gave the refugees a kindly reception and allowed them to settle on the military reservation, west of the Mississippi and north of the fort. The colonists at once set to work and built houses, opened farms, engaged in work at the fort, and were soon comfortable, contented, and hopeful. Many of them had brought cattle with them and their good milch cows were of great value. All of the refugees spoke French. The French Swiss and the French Canadians seemed like kinsmen and dwelt togther like brethren in unity. It is of record that among these people were Abraham Perry, a watchmaker, and Louis Massie, both Switzers, but the names of the other heads of families have not been preserved.

July 25, 1831, twenty more Red River colonists arrived at Fort Snelling. Up to the year 1836 nearly 500 more had come, and by the year 1840 nearly 200 more, while from time to time, for many years, frost-bitten and famine-stricken fugitives from the Red River country found rest for their feet, food for their bodies, and comfort generally in Minnesota. But only about one half of these people remained here permanently. The others went further south—to Prairie du Chien, to Illinois, to Missouri,

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[1]Ibid, p. 51.

and some families journeyed to Vevay, Indiana, the site of a Swiss settlement.

Nearly all of the early residents of St. Paul were Red River refugees and their children. Many of the descendants of good old Abraham Perry were born in Minnesota and are yet citizens of the State.

And so, as has been stated, the first permanent residents and settlers of Minnesota, people who came to make homes for themselves and their posterity, were refugees and fugitives from what is now the Province of Manitoba. The Americans had not reached here. They had progressed only as far as into Indiana, Illinois, Southern Michigan and Missouri. There were opportunities eastward and southward for everybody then. The time was yet to come when the Yankees would be here. And the time came.

Chapter V.

EXPULSION OF SETTLERS FROM FORT SNELLING.

THE year 1837 was a memorable one in Minnesota history, during that year were made important Indian treaties which, for the first time, threw open the fine agricultural lands of the peninsula between the St. Croix and the Mississippi to white occupants, and allowed the almost inexhaustible pineries of the St. Croix to be entered by the eager lumbermen. The barriers of barbarism were opened for the entrance of the farmer with his plow and the wood-man with his axe. Following the precedents of two hundred years, once let the white man gain a foothold on the soil, and in time he would enlarge his holding until he had swept away the original tenants of the country and made his occupation permanent and abiding.

Under somewhat singular circumstances the effect of the treaties hastened the settlement of the country. The few families of Red River refugees had been allowed by Colonel Snelling and his successors in command to settle upon the military reservation about Fort Snelling. It was believed that the land embraced within the reservation belonged under the Pike Treaty to the United States, and that the settlers were only exercising the privileges commonly accorded to homesteaders and pre-emptors. But about the time of the making of the treaty they were informed that they were likely to be ejected from their homes as trespassers because a considerable extent of the country about the Fort was to constitute a military reservation, on which citizens not connected with the army would not be allowed. August 16, after the treaty with the Chippewas had been made, but be-

fore it had been ratified, they sent to President Van Buren a memorial upon the subject of their imperiled situation.

The memorial was probably written by Henry H. Sibley and Colonel Samuel C. Stambaugh, the sutler at Fort Snelling, the latter being empowered to present it to the President and to represent the settlers in any negotiations. Reference was made to Governor Henry Dodge of Wisconsin Territory, as to the truth and justice of the statements.

The memorialists pleaded that they had settled upon the lands they then occupied in the belief, upon the assurance of good authority, that these lands, under the Pike Treaty were part of the public domain, and that they were only "exercising the privileges extended to them by the benign and salutary laws which have peopled other parts of the Western country with a hardy, industrious, and enterprising class of citizens." They further said that they had erected houses and cultivated fields upon the tracts they occupied, and that many of them had large families of children that had no other homes. All the labor of years had been invested in their homes and they appealed to the President for protection in them. "If a treaty should be made at Washington, as we have heard suggested, and the lands we now occupy be purchased from the Sioux for a military reservation, we ask that a reasonable and just allowance be made us in the treaty for our improvements." Among the signers of this memorial were Louis Massie, Abraham Perret, Peter Quinn, Antoine Pepin, Duncan Graham, Jacob Falstrom, Oliver Cratte, Joseph Bisson, Joseph Reasch, and Louis Dergulee.

But the military officers at the Fort were not in sympathy with the settlers, and were in effect their enemies. At that date, and for years before, officers of the army were, as a rule, harsh and even tyrannical towards all over whom they had any sort of authority. Common soldiers were little else than slaves, and were punished severely, and often inhumanly for the slightest offenses.[1]

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[1]Mrs. Ann Adams who lived at Fort Snelling from 1821 to 1829, says that Colonel Snelling, though a drunkard himself, was "severe in his treatment of the men who committed a like indiscretion. He would

Major Joseph Plympton, who took command of Fort Snelling during the summer of 1837, was especially hostile towards the settlers in the vicinity. Abraham Perret and Louis Massie were arrested and confined to the guard house because their cattle broke into the enclosures of the Fort. In his address on the early history of Hennepin county before the Minneapolis Lyceum, in 1856, Colonel John H. Stevens, who obtained his information from some of the old Fort Snelling settlers themselves, says:

> At that time, as often both before and since, the commanding officers at the Fort were the "lords of the North." They ruled supreme. The citizens in the neighborhood of the Fort were at any time liable to be thrust into the guard house. While the commander of the Fort was the King, the subordinate officers were the princes, and persons were deprived of their liberty and imprisoned by those tyrants for the most trivial wrong, or even for some imaginary offense.

In October, 1837, by order of Major Plympton a survey of the Military reserve was made by Lieutenant E. Kirby Smith. The white inhabitants in the vicinity of the Fort were found to number 157. On the Fort Snelling side, in what was called Baker's settlement, around the old Camp Coldwater and at Massie's Landing, were eighty-two; on the south side of the Minnesota, including those at the Fur Company's establishments presided over by Sibley, Alex. Faribault and Antoine La Claire, there were seventy-five. Seven families were living opposite the Fort, on the east bank of the Mississippi, and the head of one of them was Francois Desire, or Fronchet, who had been a soldier under Napoleon and also of the American army. Lieutenant Smith reported that the settlers had "nearly 200 horses and cattle."

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take them to his room and compel them to strip, when he would flog them unmercifully. I have heard them beg him to spare them 'for God's sake.'" The Colonel was normally kind and pleasant, but when in his cups became furious, often rising in the night and making a scene. See Vol. 6, p. 97, Minn. Hist. Socy. Coll. Colonel Snelling died in Washington from delirium tremens, the effect of a protracted spree. His widow, who was his second wife, re-married and died a Mrs. Chaplin, in Cincinnati, in about 1880.

In transmitting this report to the War Department Major Plympton indicated his determination to eject the settlers from the reserve, alleging that they were consuming the fuel on the tract which was needed by the garrison. The Secretary of War directed that the Major should "mark over on a map an area of land necessary to be reserved, and in March 1838, the commandant transmitted a map of such a tract embracing a considerable quantity of land on the east side of the river."

In July, 1838, Major Plympton, sought to drive all of the settlers from their homes about the Fort, beyond the reservation line and forbade: "All persons not attached to the military from erecting any building or buildings, fence or fences, or cutting timber for any but for public use within said line, which has been surveyed and forwarded to the War Department, subject to the final decision thereof." The Major said that his order more particularly alluded to "persons urging themselves within the line at this time, than to those whom I found on my arrival here, last summer, settled down near the Fort." The latter class, he presumed, had been permitted to locate by the War Department.

In 1839 the subject of excluding and expelling settlers from the reservation again occupied the attention of the military authorities. The reason they gave for desiring to banish and to exclude these luckless people was that some of them were engaged in an illicit liquor traffic with the Indians and with the soldiers of the garrison, occasioning great demoralization and much injury to the interests of the Government. Sutler Stambaugh, however, intimated that the real reason why the commanding officer and his associates wished to drive away the settlers was that these officers had made claims to certain valuable tracts at St. Anthony Falls and wished to control the surrounding lands. Referring to the lines of the reserve, as they had been established by Major Plympton, in a communication to the War Department during the summer of 1838, Colonel Stambaugh wrote:

> The land embracing the Falls of St. Anthony, on the east side of the river has, since its purchase by the United States, been improved by settlements so as to secure a pre-emption. It is now held in pos-

session by Dr. Wright, Franklin Steele, and myself (one-half section) and one section by Maj. Plympton, Capt. [Martin] Scott, and Dr. [John] Emerson. These settlements include the best positions immediately above the Reservation as surveyed.

The interests of the army officers, in these lands were finally acquired by Franklin Steele for a very reasonable consideration.

Major Plympton and the other officers wrote strongly to the Department in favor of a large reservation, on which no settlers were to be allowed. Surgeon Emerson, writing in April, thought it ought to be "twenty miles square, or to the mouth of the St. Croix River." General John E. Wool, the Inspector General of the Army, who had visited the Fort in June, and made thorough investigation of the situation, indorsed the statements and views of Major Plympton on the matter of the illicit liquor selling and its baleful effects, and recommended that the Government "should immediately adopt measures to drive off the public lands all white intruders within twenty miles of Fort Snelling, and should prohibit intoxicating liquors from being introduced into the Indian country on lands not sold by the United States." The Secretary of War was induced, by the numerous representations made to him, to take decisive and vigorous action.

There was abundant testimony to prove that an illicit and very harmful liquor traffic was being carried on. The illegal business was demoralizing to the Indians and destructive of the health, good discipline, and morale of the soldiers. Major Taliaferro notes in his journal, under date of June 3, 1839, that forty-seven soldiers were confined in the guard house for drunkenness in one night. For selling them the liquor a trader named Menk, whose shack was on the east side of the river half a mile back, was deported from the country. Sometimes a drunken soldier, staggering to his quarters from Donald McDonald's whisky shop, fell over the bluff and broke his neck. Others, in winter, lay down and froze to death or had their feet so badly injured that amputation was necessary. Still others, delirious from the vile compounds furnished them by the unscrupulous dealers, wandered off into the wilderness and were devoured by the wolves.

The effect of the traffic upon the Indians was as bad as upon the soldiers. The red men soon acquired the drinking habit and were slaves to it. Missionary Gideon H. Pond writes that in 1839, "they bade fair soon to die, all together, in one drunken jumble."[1] They could hardly live if they were not drunk. At some of the villages they were drunk for months together. They would give guns, blankets, flour, corn, coffee, horses, furs, traps—anything for whisky. They mutilated and murdered one another; they fell into the fire and water and were burned to death or drowned; they froze to death, they died of delirium tremens, they committed suicide even, and these tragedies happened so frequently that for some time the death of an Indian in one of the ways mentioned attracted but little comment or notice.

The situation was bad enough but it seems that it might easily have been improved. The commandant at the Fort had but to send a file of soldiers to the shack of the liquor seller, destroy his stock and his establishment, arrest him and send him out of the country, threatening him with death if he returned, and then the offending evil would have been removed, and his superiors would never have called him to account for such a procedure. But Major Plympton did not take this course. He arrested and imprisoned the settlers because their cows trespassed upon the drill ground, but in only two instances did he attempt to punish the liquor sellers.

And so far as the record shows only four of the settlers were liquor dealers, and these were Menk, Pierre Parrant, Donald McDonald, and Jim Thompson, the negro. For their misconduct some forty or fifty innocent men like Abraham Perry, Benjamin and Pierre Gervais, and Vetal Guerin, who never knowingly did an illegal act in their lives, and their families were expelled from their homes near the Fort and driven east of the river to make new homes. Some of them left the country entirely, going to Prairie du Chien and elsewhere. The wife of Abraham Perry, good old "Aunt Mary Ann," was an accomplished and expert midwife, and the married ladies of the gar-

[1] In the "Dakota Friend" for September, 1851.

rison begged the commandant to allow her and her husband to remain at the Fort, but the stern officer would not make an exception even in this case.

The whisky sellers merely went down the river a little farther, and still within the reservation. Pierre Parrant had been located in the Fountain Cave, four miles below the Fort, where he had made a claim; but in 1839 he lost his claim under a sort of mortgage he had given, and drifted two miles further down the river, and set up his establishment at or near what is now the foot of Jackson street, or the Union railroad depot in St. Paul. Parrant was a singular character, of a repulsive visage and equally unpleasant traits. He had but one eye and this again had a singularly distorted and unnatural cast, so that it resembled that of a pig. In time he was nicknamed and generally known as "Pig's Eye," and the locality of his shop bore the same designation. Even at this day the old settlers call the place of his last location and the lake below by the ineuphonious title. Donald McDonald went down to a point half way between Fort Snelling and Pig's Eye. The first steam boat that ever landed at what is now St. Paul was the Glaucus, Captain John Atchison. This boat tied up at the bank May 21, 1839, and put off six barrels of whisky for McDonald. Jim Thompson was put out of business. The other settlers, for the greater part, located along the river bank, on the east side for some miles below the Fort, on the present site of St. Paul. A few claims were made and cabins built in the vicinity of "Pig Eye's" whisky shack, where there was good land for corn fields and potato patches.

In the early part of October (1839) a Lieutenant Thompson surveyed the new reserve ordered by Major Plympton. According to Taliaferro's journal of October 5, the boundaries of the reservation were: From its mouth five miles up the Minnesota (or St. Peter's); thence seven miles to include Lake Harriet; thence to the Lake of the Isles; thence, above St. Anthony Falls and across the Mississippi, eastward, about five miles; thence southward to the Mississippi, "below the [Fountain] Cave,"—the last line passing near where are now the Seven Corners in St. Paul.

In transmitting Lieutenant Thompson's map of the new reservation Major Plympton said:

> The limits of the Reservation, as now marked, embrace no more ground, I conceive, than is absolutely necessary to furnish the daily wants of this garrison, and would they be extended further into the country on the east side of the river it would, no doubt, add to the quiet of the command.

The metes and bounds were wholly arbitrary. They were not established with reference to the "dairy wants" of the garrison, for, as J. Fletcher Williams says, "the additional woodlands secured were of no value or importance to the post and were never utilized."[1] The line was extended far beyond the possible needs of the Fort or the intent of the Reservation. If the new land had been selected west of the Mississippi for nine miles, as might have been done under the Pike Treaty, timber and fuel enough to last the garrison for a hundred years might have been secured and it would not have been necessary to transport either across a wide, deep river.

The settlers left the west side of the Mississippi in the summer and early fall of 1839 at the bidding of Commandant Plympton indeed some of them removed the previous year, so that they might choose the most eligible situations; but October 21, 1839, Secretary of War Poinsett directed Edward James, the United States Marshal of Wisconsin Territory to evict them when ordered to by Major Plympton, under the provisions of the act of March 3, 1807, which prohibited settlers on lands which had been ceded to the United States. The order was missent, however, and Marshal James did not receive it until in February, 1840.

The land east of the Mississippi surveyed as a part of the Reserve was within the then limits of the Territory of Wisconsin. The Legislature of the Territory in December, 1839, adopted a memorial to Congress prepared and introduced by Joseph R. Brown, then one of the members from Crawford County, protesting against the extension of the reservation "to the Wisconsin side of the Mississippi." The resolutions were perhaps prepared

[1]History of St. Paul and Ramsey County, p. 93.

by Mr. Brown, who had erected a trading house on the east bank of the river, opposite the Fort, and who sympathized with his fellow settlers. At this time, however, his residence was on Gray Cloud Island, below Pig's Eye.

The reasons given by the Legislature for the protest were that the new survey included the only available and "convenient steamboat landing east of the Mississippi, for fifteen miles below the head of navigation," that the projected reservation," includes a valuable agricultural district, much of which is under a good state of cultivation and occupied by an industrious and enterprising people, some of whom have made valuable improvements; and because "it appears efforts are being made by the military of said Fort [Snelling] to procure a section of the reserve, as lately surveyed, for speculative purposes and without any regard to the good of the military service."

In transmitting the resolutions to the Secretary of War, Governor Doty declared that "a Territory is a State under a temporary form of government;" that under the Ordinance of 1787 the land proposed to be included within the new Reserve was under the jurisdiction of the Territory of Wisconsin and he doubted the power of Congress to extend a military jurisdiction over so large a tract of country "by the simple declaration that it is necessary for military purposes," without the consent of the Territorial Legislature.

But the impassioned remonstrances of the settlers and the dignified protests of the Legislature were without avail. Major Plympton, demanded of the United States Marshal their removal, and it was soon accomplished. About the 1st of May, 1840, Ira B. Brunson, a deputy under Marshal Edward James, of Wisconsin Territory, was sent up from Prairie du Chien to carry out the order of eviction. Subsequently Mr. Brunson surveyed the original town site of St. Paul and became a citizen of the place for many years.

In an account of the affair written expressly for a historical purpose Mr. Brunson states that he gave the settlers several days' notice to remove, but they disregarded the warning, and under his instructions he was compelled to call upon Major

Plympton for a military force to execute the orders by force of arms. On May 6, the settlers were attacked by the soldiers and soon dishoused and driven off; every cabin within the lines was destroyed, nearly every building was burned.

In after years there was a controversy between the settlers and the deputy marshal as to the details of the eviction and the character of the expulsion. In 1849 and again in 1852 Delegate Sibley, presented to Congress a memorial from the settlers praying for indemnity for the losses they sustained at the hands of the Government authorities on the memorable 6th of May, 1840.

In these memorials the settlers stated that when the dispossession was made the soldiery fell upon them without warning, treated them with unjustified rudeness, wantonly broke and destroyed their furniture, insulted the women, fired upon and killed cattle, etc. But Mr. Brunson always denied these charges; he said that the soldiers were under his supervision and under the command of a lieutenant and that they acted reluctantly and civilly. The settlers refused to leave their cabins or to remove their effects, and were forced to leave at the menace of guns and bayonets, while their household goods were carried out with care and attention, but nothing was done violently or rudely. The buildings were burned pursuant to orders. The houses of Abraham Perry, Benjamin and Pierre Gervais, and Joseph Rondo were among those destroyed.

The fugitive settlers went down the river again, beyond the reservation line, and began preparations for new homes. They were poor without steady incomes or fixed resources and their expulsion was to them a great misfortune. Williams says of it: "To these poor refugees it was a cruel blow. The victims of floods, frosts and grasshoppers in the Red River Valley, and having been once before expelled from the Fort Snelling Reserve, [from the west side] it seemed that their cup of disaster was charged to the brim. Mournfully gathering up their flocks and household effects they set out at once to make new homes."[1]

Much space has been devoted to the incident of the expulsion of the settlers from the Fort Snelling military reserve be-

[1]History of St. Paul, p. 100.

cause of the important and resultant effects. The expulsion led to the founding of the City of St. Paul on the present site. The settlers desired to be as near the protection of the Fort as possible, not alone because of the possibility of future Indian attacks, but for the additional reason that the Fort and the fur factory at Mendota were the only sites for employment and the market in the country.

It is quite probable that had the settlers been allowed to remain in the near vicinity of the Fort, there never would have been a St. Paul—at least on its present site—and only one great city would now stand near the mouth of the Minnesota. Doubtless, in due and proper time, there will be but one; but so far in our State's history it has been better for all interests that both St. Paul and Minneapolis have existed as separate, corporate cities. From the harsh actions of the military authorities and the consequent misfortunes of the poor settlers came the creation of the Capitol City of Minnesota. The worst extremities of man are often the best opportunities of Providence.

Chapter VI.

PIONEER LEADERS.

DURING the decade between 1830 and 1840 there came to what is now Minnesota five men whose work and influence contributed very largely to the creation of the Territory and State, and to their general devolpment and upbuilding. But for their coming when they did, and for what they did, the organization of Minnesota as a Territory, consequent upon its character, strength and complete firmness, might long have been delayed and retarded.

These men were Henry Hastings Sibley, Franklin Steele, Henry Mower Rice, Norman Wolfred Kittson, and Martin McLeod. They joined Joseph Renshaw Brown, the leader of the Territory's organization, who became the architect and builder of its first towns and its first public improvements and the master spirit among the pioneers who first made it possible to lay the foundations of a great commonwealth. And then these six men were like brothers in their common purpose and work. There was no dissension, no jealousy, no envy among them. They strove unselfishly for the common good, and only for a comparatively brief period, in after years, when Rice withdrew from the association for a year or more, was the bond of unity ever severed and the phalanx of brethren broken.

JOSEPH RENSHAW BROWN

Was born in Hartford county, Maryland, January 5, 1805. His family removed soon after his birth to Lancaster, Penn-

sylvania, where his early boyhood was passed. When between thirteen and fourteen years of age he was bound and apprenticed to learn "the art and mystery of printing," in a local newspaper office. As a boy he was inordinately fond of reading and study, had real literary taste, was remarkably precocious, and it seemed that nature designed him for a writer and printer. But unfortunately his master was a hard one, and at that time apprentices were almost practically peons or serfs, with no rights that masters were bound to respect. Young Brown was treated so harshly by his employer that in less than a year after he entered the printing office he was forced to run away. Under the law he could not return to his father's house, for he was not free until his "time" expired. The only place of refuge and safety was the regular army or navy. He made his way to Pittsburg and enlisted as a drummer in a squad of recruits that was sent to the Fifth Infantry, then at Detroit.

Brown had come to the country fifteen years before his earliest associate, Sibley. He came in 1819 with the first detachment of troops under Leavenworth that built Fort Snelling. He was then a lad of fourteen and a drummer boy. It was his drum that sounded the first reveille of civilization in this quarter, and his rataplan was a challenge and warning to the hosts of barbarism that a new and better era had come for them and for all mankind.[1] During his first enlistment, Brown was a fifer as well as a drummer. In 1822 he reenlisted for another period of three years, and during this time, young as he was, he rose to the rank of first sergeant of his company.[2]

After leaving the army at the age of 20, Brown became the sutler's clerk at Fort Snelling; then a clerk for a trader, and

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[1]Brown's comrade drummer boy was James McClellan Boal, (often erroneously called James McBoal) an intelligent, accomplished man who became a prominent citizen of St. Paul, where a street was named for him.

[2]Samuel J. Brown, of Brown's Valley, Minn., a son of Major Brown, writes under date of April 16, 1906: "I have frequently seen and heard my father play on the fife and heard him say that he used to play it when he was in the army. He also said he played the first reveille at Fort Snelling. He was a musician from 1819 to 1822, then he re-enlisted and became first sergeant, serving until in 1825."

later entered the Indian trade on his own account, under the auspices of the American Fur Company, whose chief factor in Minnesota was Sibley. Between Sibley and Brown there was always the warmest and most intimate friendship. Sibley's was the more commanding position in human affairs, but Brown's was the greater intellect, the clear sight, and the brightest genius for origination and invention. Each went to the other for advice and assistance and the partnership between them was of the greatest mutual advantage.

It was in 1830 that Brown entered the Indian trade and was identified with the business for fifteen years or more. He was subsequently engaged in lumbering, town building, farming, and in printing and publishing. As subsequent pages of these volumes relate, he was conspicuous and influential in the early public affairs of Minnesota. It was he, more than any other man, who conceived and pushed the project of the organization of the Territory and he was the author of its name. He laid out the first town site in Minnesota, at Stillwater, and built the first house there. He also built the first house at Hastings, one of the earliest towns in the State. He was the first lumberman to raft logs down the St. Croix. He laid out the first wagon road from Fort Snelling to Prairie du Chien and the first from Fort Snelling to Lac qui Parle and drove the first wagon over them. A Sioux mixed-blood woman was his wife and the mother of his children, and his influence over her people was strong and of great value. He was their agent for four years, negotiated the important treaty of 1858 with them, etc. In early times he was easily the first man in Minnesota in point of general ability. He became prominent in the military affairs of the State and at one time was Major General of the militia. In actual warfare he held the rank of major. Major Brown died suddenly in New York City, November 9, 1870. The county of Brown and the town of Brown's Valley were named in his honor.

HENRY HASTINGS SIBLEY

Was born in Detroit, Michigan, February 20, 1811. He was educated in an unpretentious academy, but became of scholarly

tastes and character, and was an accomplished and finished gentleman. All of his life was spent in the Northwest. At the age of seventeen he went to the Sault Ste. Marie and engaged as a clerk in the Indian trade. The following year he entered the servic of the American Fur Company at Mackinaw, where he remained for five years.

In the fall of 1834 Alexis Bailly, the chief factor of the American Fur Company in the St. Peter's or Minnesota country, after a series of troubles with the United States Indian Authorities over his alleged sales of liquor to the Sioux, was removed and young Sibley, then but twenty-three years of age, was appointed in his stead. He at once set out for his new post of duty, and arrived at Fort Snelling November 7. The trip from Prairie du Chien was made on horseback, in company with his predecessor, Mr. Bailly, and two Canadian employees.[1] The district over which the young trader had commercial control extended from Lake Pepin to the Little Falls, on the upper Mississippi, and north and west of Pembina; also over all of the Minnesota Valley and to the heads of the streams tributary to the Missouri in the Northwest. He had been admitted to a partnership in the great fur corporation, of which Ramsey Crooks was then president and Hercules L. Dousman and Joseph Rolette, Sr., directors. His salary, at first and for a few years, was $1,000 a year and five per cent. of the net profits of the trade of his district. He had been loth to accept the position, although it had been offered to him by President Crooks, and was mainly induced to take it by the representations of Mr. Dousman, who, knowing young Sibley's fondness for field sports described the Minnesota country to him as a hunter's paradise.

The fur trade was by far the most important of the white man's interests in the country, and as Sibley was the leading spirit of the trade his influence was commanding and of great value. He added to the natural strength of his position in various ways, and soon became, and for a long time held the distinction of being the first citizen of the country. He had united

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[1]Sibley's "Reminiscences," Minn. Hist. Soc. Coll. Vol. 1.

with the Presbyterian Church at Mackinaw and became a member of the first religious organization at Fort Snelling. He was the friend and patron of the missionaries, who wrote frequently to the outside world of his generosity and of the character of the country. In 1836, aided by the fur company, he built a fine stone mansion at Mendota, still standing, and which was the first important private residence built in Minnesota. Within the comfortable and hospitable home the host welcomed and entertained such notable guests as Catlin, Marryat, Schoolcraft, Featherstonhaugh, General Henry Dodge, Fremont, and other travelers, explorers and men of renown.

In 1838, as a citizen of Clayton County, Iowa, Sibley was appointed a justice of the peace and became the first civil officer in what is now Minnesota. In 1848, when a delegate from the then embryotic Territory was to be sent to Washington, he was selected without opposition by the common voice, and was easily reelected. He was the leading spirit in the organization of Minnesota as a Territory, laboring long and earnestly in Congress for that decisive action. But for his influence the all-important Indian treaties of 1851 would not have been made. His services in behalf of the commonwealth, especially during its early history, were so numerous that they cannot well be stated. He became the first Governor for the State and the leader of the forces that suppressed the great Sioux uprising in 1862, and altogether seems to have been the most conspicuous figure in the State's history up to the time of his death, in 1891. He founded the town of Hastings to which he gave his middle name and the town of Sibley, Iowa, and Sibley County, Minnesota, were named for him.

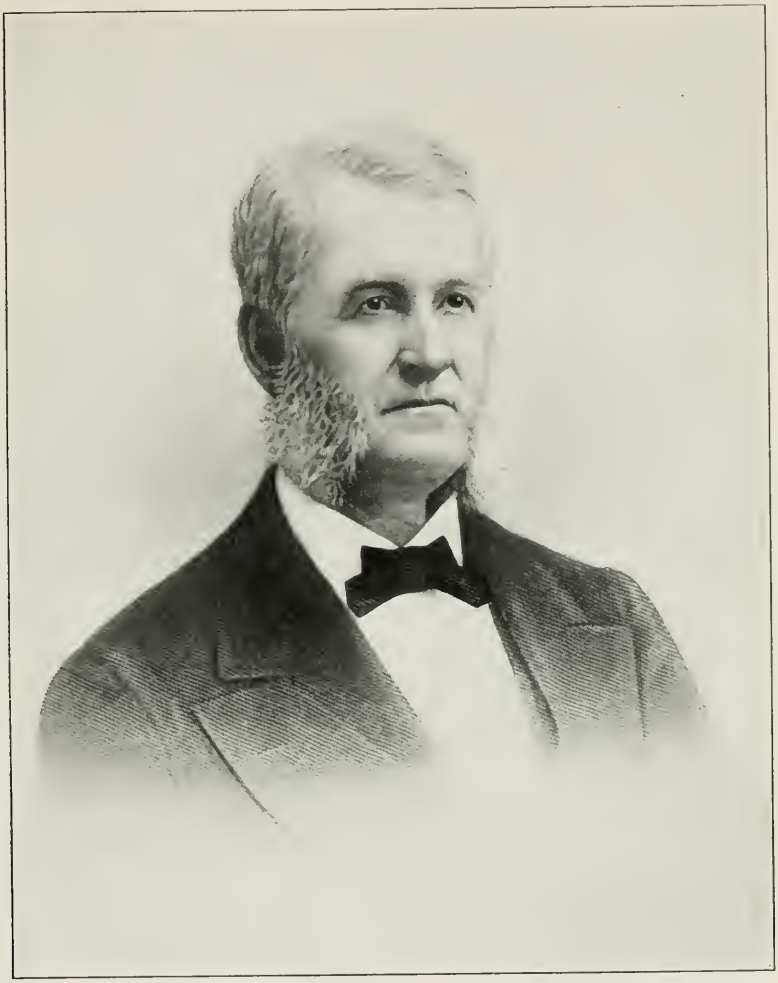
FRANKLIN STEELE

Was born in Chester County, Pennsylvania, May 12, 1813. He came of a good family and early in life developed the traits of character which afterward so distinguished him. President Andrew Jackson became his friend and advised him to make the field of his life work in the West. In 1838 President Van

Buren appointed him the post sutler at Fort Snelling, and he came to the post early in that year. Not long after his arrival he became associated with Joseph R. Brown in his lumber and other interests on the St. Croix. With his keen business foresight and sagacity he perceived that the magnificent water power at the Falls of St. Anthony, easily to be utilized, must eventually make that locality one of supreme importance. Therefore in 1838, as soon as the Chippewa title to the country was extinguished he located upon and claimed the land on the north side of the river adjoining the great cataract with its immense force. He could not enter the land until in 1847, when he also secured from the government Nicollet Island.

Steele built the first mill at the Falls in 1848—the old Government mill excepted—and virtually became the founder of Minneapolis. He had many obstacles to overcome and made many a hard struggle, but never lost heart in his work nor faith in its outcome. He acquired some capital and spent all of it and all he could borrow in the development of the country and spent thirty years in the work. He was in Washington in 1849 and spent weeks in working for the bill organizing Minnesota Territory. In 1854 he built the first suspension bridge over the Mississippi at St. Anthony when the land at its western terminus was not then in market. The following year he spent much time in Washington, and chiefly by his personal exertions in February, 1855, Congress passed an act extending the preemption laws over a large part of the Fort Snelling reservation, thus opening that portion of what is now Minneapolis west of the river to white occupation and settlement. He owned a large part of the city on both sides of the river, but from the first disposed of his holdings at merely nominal prices to actual settlers and for business purposes and donated sites for churches and schools without charge.

During the early history of Minneapolis Mr. Steele was actively engaged in the promotion of a large number of public enterprises, including railroads, bridges, lumber booms, ferries, schools, seminaries, and benevolent societies. He was a liberal contributor of his time and means to every enterprise for the



FRANKLIN STEELE.

general welfare. In 1851 he was chosen a member of the Board of Regents of the University, and served for several years. He donated the then most valuable block in St. Anthony for the preparatory department and, and contributed liberally toward the erection of a building thereon. He died September 10, 1880, and was a wealthy man at his death, but he would have been far wealthier but for his many benefactions to Minnesota.

He gave help when it was most needed and altogether seemed to have been the man for the time and the occasion. General Sibley was his brother-in-law and his admiring friend, and he was often associated and always in harmony with Brown, Rice and McLeod. Unlike them, however, he was not interested in party politics, though a life long Democrat, and would never accept a political nomination for office.

HENRY MOWER RICE

Was born in Waitsfield, Vermont November 29, 1816. He was a lineal descendant of Warren Hastings, the noted Governor of the English East Indies. In 1835 he removed to Detroit, and two years later, when but 21 years of age, was appointed assistant engineer under the authority of the State of Michigan to locate the Sault Ste. Marie Canal and other important public works. In 1839 he came to Fort Snelling, where he was engaged in the post sutler's store until in June, 1840, when he was appointed post sutler at Fort Atkinson, in what is now Northwestern Iowa. He became connected with the great trading corporation of Pierre Chauteau, Jr. & Co., of New York and St. Louis, and had charge of the trade of the Winnebagoes and Chippewas. His posts extended throughout the Chippewa country, from Lake Superior to Red Lake, and thence to Canada. He traveled over and was familiar with the greater part of this large expanse of territory.

Mr. Rice was influentially connected with the Winnebago Indians and was well known to and of great influence among the Chippewas. In 1846 he represented a Winnebago Chief at a treaty with his tribe in Washington for the cession of the

Winnebago Reservation in Iowa. In August, 1847, at Fond du Lac, Mr. Rice and Isaac Verplanck, as United States commissioners, purchased from the Chippewas a tract lying on the Upper Mississippi and Long Prairie Rivers in Minnesota, for a new reservation for the Winnebagoes, to which they were removed the following year. At the same time they bought from the Chippewas a reservation in Minnesota for the Menominees, but it was never used. Subsequently, in 1851, 1854, 1863, 1890 and in other years he was largely instrumental, as commissioner or adviser, in consummating other important treaties with the Chippewas and Sioux affecting the welfare of Minnesota.

Mr. Rice was the first to make investments in Minnesota to an important extent. By his intelligent management of his trading operations he had accumulated about $40,000, which sum was practically a considerable fortune in the Northwest in the decade from 1840 to 1850. In 1848 he began making investments in St. Paul realty and other Minnesota lands. He had come to have faith in the future of the country at a time when none of his associates but Brown shared his belief. Sibley, Kittson, Steele and McLeod were skeptical regarding Brown's and Rice's theories that the Northwest, and especially Minnesota, was destined to soon become a thriving and prosperous agricultural region. Writing from Fort Atkinson, Iowa, to Sibley, at Mendota, in July, 1841, Mr. Rice thus expressed his opinion of Minnesota:

> As soon as I can settle with the Northwestern Fur Company [for which company he had been the agent at Fort Atkinson] I hope to return to the St. Peter's and make that my future home. I believe that region is destined to become the center of a great State; the vast pine forests, the rich agricultural lands, and the splendid climate will make it so. In a few years there will be a great opportunity for speculation, and we ought to be prepared to act. I mean to be on the ground and invest at every opportunity. Congress cannot much longer delay the opening of this country, and ought not to. If we are wise and prudent, we can make such use of our means, small as they are, as will secure us a competence for old age. Henceforth I will cast my lot in the Northwest and am confident I will never regret it. When I

see you I will explain my views on this subject more fully.[1] H. M. Rice.

In 1889 Gen. Sibley said to the writer:

Until after Henry M. Rice began to put his money into investments here and Norris and Haskell were successfully raising wheat and other grain over in Washington county, I had no belief that Minnesota would become fairly well settled within fifty years. I had no faith in it as a farming country. I thought that the year 1900 would find it no better occupied than the country along the northern shore of Lake Superior. Joseph R. Brown had been preaching, without effect upon us, that Minnesota was capable of becoming an agricultural district, but when Mr. Rice began investing tens of thousands of dollars in good American gold in claims and other ways, we were converted to his way of thinking.

In November, 1848, Mr. Rice bought half of John R. Irvine's claim (80 acres) in the then little hamlet of "St. Paul" and began improving it. J. W. Bond says, in his volume "Minnesota and its Resources," that the "very *name* of H. M. Rice as one of the proprietors of the little town," and as a purchaser of several claims at once gave the country a new importance and stimulated confidence among the settlers here as well as among the people abroad. Franklin Steele, who had intended to harness the water power at St. Anthony as a motor for saw mills, rather than grist mills, now began to see new possibilities. Governor William R. Marshall was of the opinion that Rice's connection with the material affairs of St. Paul had more to do with fixing[2] the destiny of the town than any other factor. His expenditures in erecting buildings and making other improvements in the straggling and primitive little frontier town were inconsiderable in the aggregate but were enough to start the place into a steady and increasing prosperity as well as into a career of importance and prominence.

In 1853 Mr. Rice was elected Delegate to Congress from Minnesota Territory, and he was re-elected in 1855. While in Congress although not allowed to vote, Mr. Rice procured im-

[1]Sibley Papers, 1840-1850.

[2]William's History, p. 186.

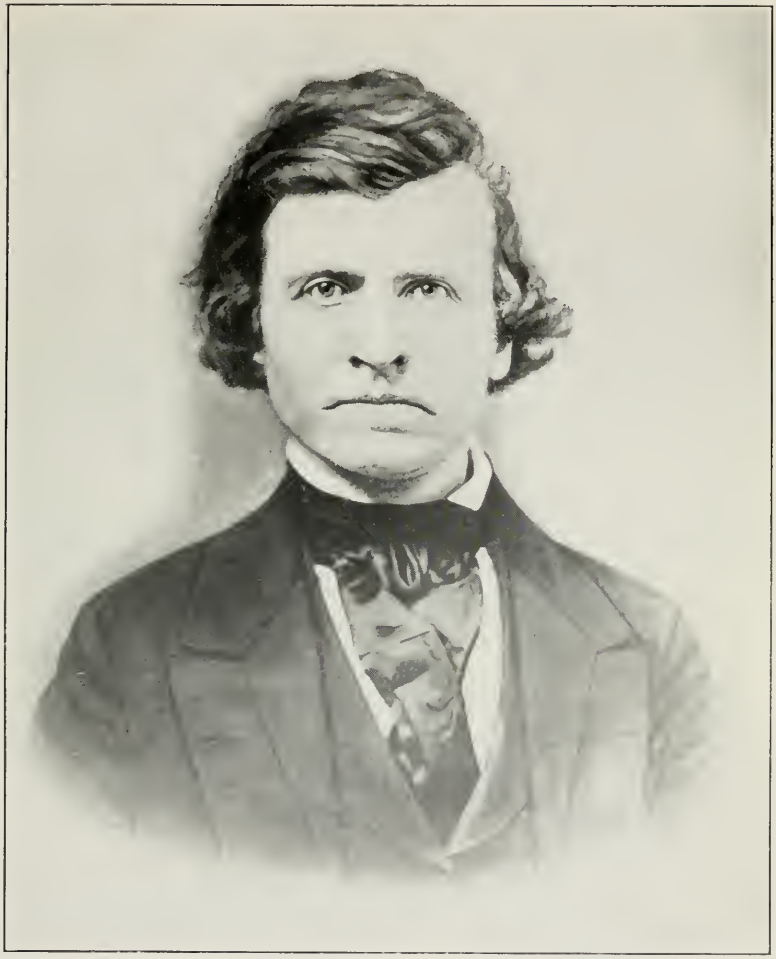
portant legislation for Minnesota, viz.: extending the pre-emption system to unsurveyed lands, opening certain military reservations to actual settlement, establishing land offices, post offies, post routes, securing appropriations for buildings and other improvements, and he was the author of the enabling act authorizing Minnesota to become a State. Mr. Rice was one of the first United States Senators from Minnesota and served six years. There were three years of the War of the Rebellion during his term. He became a war Democrat and a strong supporter of the Union cause, helped and encouraged the Minnesota soldiers, and at one time was offered a commission as Major General and the command of the Military District of the Northwest.

But for Mr. Rice's efforts in behalf of the Sioux treaties of 1851, notably that of Traverse des Sioux, the opening of the Indian lands to white settlement would have been long delayed. His investments in Minnesota interests, especially at St. Paul, were of great value at the time, not alone in and of themselves, but in inducing and promoting the investments of others. He died at San Antonio, Texas January 15, 1894.

MARTIN McLEOD

Was a native of Canada, born of Scotch parents in 1813. He came to Minnesota from the Red River Colony in 1837, reaching Fort Snelling April 2. En route, on March 17, at a point 80 miles west of north of Brown's trading house on Lake Traverse, his party, composed of himself, two young English officers, named Hays and Pierce, and Pierre Bottineau, their guide, were caught in a blizzard, in which the British officers were frozen to death and McLeod and Bottineau had a most severe experience.

At Fort Snelling McLeod entered the service of the American Fur Company and was stationed on the Upper Minnesota, where he passed several years. He lived to be recognized as one of Minnesota's strongest men, and had he lived longer he might have been given high honors and distinction. His death, at the age of forty-seven, was untimely and greatly and universally regretted.



MARTIN McLEOD.

Martin McLeod was a sturdy Scotch-Canadian and of remarkable characteristics. He was strong armed and strong hearted; he was intelligent, quick-witted and sagacious; he was well-educated, well informed and even accomplished. In his little trading house far up in the wild wastes of Lac qui Parle, his hours of recreation were spent in reading Plutarch, Ben Jonson, Shakespeare, Montesquieu and the best literature of the day, and he was continually sending down to Sibley for more books.

McLeod was a member of the first three Councils of the Territorial Legislature and president of the fourth. He was a most efficient member and in time his associates had McLeod County named after him.

But McLeod's greatest services in behalf of Minnesota were rendered in inducing immigration from Canada in early times and in assisting to bring about the treaties of Traverse des Sioux and Mendota, which opened such a vast expanse of Minnesota lands to settlers. He wrote numerous letters to Canadian newspapers describing the country, and when the Territory was organized fully one-third of its Canadian-born citizens were here as the result of McLeod's efforts to bring them here. He was married to a Sioux woman, spent many years as a trader among the Sioux of the Upper Minnesota and it was his influence to a pre-eminent extent which persuaded the Wahpeton Sioux to agree to the Traverse des Sioux treaty.

Mr. McLeod died on his farm at Oak Grove, Hennepin County, in November, 1860.

NORMAN WOLFRED KITTSON

Was born at Sorel, Ontario, (then Lower Canada) March 5, 1814. He was a grandson of Alexander Henry, the celebrated North American traveler and explorer. In May, 1830, when but 16 years of age, Kittson came to Wisconsin as an employe of the American Fur Company. In 1832 he made a trip to the headwaters of the Minnesota and from thence went to Red Cedar River, in Iowa.

Kittson came to Minnesota in 1834, and entered into the employ of the post sutler at Fort Snelling, and was so engaged for four years. He formed an acquaintance and friendship with Sibley and in 1839, became a sub-trader under him at the cold spring near Fort Snelling. In 1843 he became a special partner in the American Fur Company and was given charge of all of that corporation's affairs on the Upper Minnesota and along the British line. He fixed his headquarters at Pembina and arranged a depot for the general storage of furs which he shipped in Red River carts to the headquarters of the company at Mendota. He originated this system of commerce between the Red River and the head of navigation on the Mississippi, and in time the trade thus created assumed large proportions. For a long time the vehicles used were called by Fort Snelling people "Kittson's carts;" later, after Kittson left Pembina, they were called Red River carts.

In time, through the friendship of his associates, Brown and Sibley, he secured title to certain town property in St. Paul and Stillwater which eventually became the foundation of the large fortune which he ultimately amassed. In 1854, in order to look after his St. Paul interests, he located in St. Paul, and soon entered into partnership with Major W. H. Forbes in furnishing goods and supplies to Indian traders. In 1851 his addition to St. Paul, still known as Kittson's Addition, was laid out.

Through his personal efforts numbers of people came to Minnesota and much capital was invested here in early days. In 1851, while living at Pembina, Mr. Kittson was elected to the Territorial Council and served during four sessions. In 1858 he was elected Mayor of St. Paul. He continued in the Indian trade until 1860. Later he established the Red River Transportation Company and in time had a considerable number of steamers and barges plying upon the stream between Breckinridge and Winnipeg. It was Kittson's enterprise and efforts that opened the Northwestern part of the State to settlement and development. In recognition of his eminent services two important counties in that quarter, Norman and Kittson, were named for him.

Subsequently he became associated with James J. Hill in the organization of the St. Paul, Minneapolis and Manitoba Railroad Company, which proved a great success and added substantially to Kittson's fortune. Mr. Kittson died on the train coming to Minnesota from the East May 11, 1888.

Chapter VII.

FOUNDING OF DAKOTAH AND STILLWATER.

JOSEPH R. Brown was the first white man to found a town within the present boundaries of Minnesota. He called it Dakotah, for the tribe of Indians and its site is now included within the city of Stillwater.

In 1837 Brown was thrty-two years of age, in the prime of vigorous manhood, ambitious and far-sighted. He was familiar with the St. Croix Valley, knew its resources, and believed in its future. For some time he had contemplated the probable effect of the projected treaty with the Chippewas, held in August at Fort Snelling, and realized that by its terms the lower valley would be ceded to the Government and open to white occupation. In the early summer he went to the valley, taking some men with him, made some pine land claims and began cutting logs for shipment down the St. Croix. When in September of this year, Franklin Steele went to St. Croix Falls, he says he found the "veritable Joe Brown" on the west side of the St. Croix, where now stands the town of Taylor's Falls and Brown was "cutting timber and trading with the Indians."

Brown lacked the capital to improve the water power and build mills at the St. Croix Falls, or to engage extensively in lumber cutting. But he realized that there must be a town at the head of Lake St. Croix, and he believed that this town would become the metropolis of the St. Croix, and that he could be its founder. So in the summer of 1839, while his residence and trading house were on Gray Cloud Island, he laid out a townsite at the head of the Lake, half a mile above the original site of Stillwater.

The first building that Mr. Brown erected on the site of his town was a large one, whose walls were composed entirely of tamarack logs. It was occupied by the owner and some others while in an unfinished state, for it was not entirely completed until the summer of 1841. Two or three other cabins were built on the site of Dakotah, in the fall of 1840 and occupied by Brown's employes.

Until the year 1840 the jurisdiction of Crawford County, Wisconsin, extended over the delta or peninsula between the St. Croix and the Mississippi. In the fall of 1839 Mr. Brown organized and headed a movement for the organization of another county from the upper portion of Crawford. Ira B. Brunson and Alexander McGregor were elected that season to the lower house of the Territorial Legislature from Crawford. A bill believed to have been prepared by Brown, and certainly promoted by him, was introduced by Brunson into the Legislature and passed by that body early in January, receiving the Governor's approval on the 9th, creating the new county which was called St. Croix. The site and boundaries were declared to be.

> All that portion of the Territory of Wisconsin which lies north and west of a line commencing at the mouth of Porcupine River on Lake Pepin; thence up said river to its fisrt forks; thence in a direct line, to the Meadow Fork of Red Cedar River; thence up said river to Long Lake; thence along the Canoe Route, to Lac Courterville [Courtorielle]; thence to the nearest point on the west fork of Montreal River; thence down said river to Lake Superior; thence north to the United States boundary line.

The act further provided that an election for county officers should be held on the first Monday in August (3d) at Chan-Waukon, (Spirit Wood, at Brown's trading post, on Gray Cloud Island), at the Falls of St. Croix, and at La Pointe. At the same election the voters were to select the site of a county seat, and the county commissioners were to prepare a court house at the place receiving the greatest number of votes. The commissioners were not to locate the county's capital on any occupied land without the consent of the occupant, who should pay into the county treasury "not less than $800 for the right of said county to the land." The latter conditions were imposed by

Brown when he prepared the act in order that he might, beyond peradventure secure the county seat for Dakotah. No other available site had an occupant with $800 at his command.

At the election only two sites were voted upon: "Mouth of the St. Croix," (now Prescott) and Dakotah, and the latter won by a vote of forty-five to thirteen. Mr. Brown was elected county clerk, clerk of the district court and county commissioner of the new county. By the fourth section of the organization act, the county was made a part of the Second judicial district presided over by Judge David Irwin, of Green Bay, and courts were to be convened on the first Monday in June of each and every year. In June, 1840, Judge Irwin made a toilsome and circuitous journey, via Fort Snelling, to Dakotah to hold his court, but on his arrival found no member of the court present save Phineas Lawrence, the sheriff. Clerk Brown was absent, as was the district attorney, and there were no jurors. There were only two residents of the place at their homes, and these were French half-breeds in Brown's service. The Judge was forced to eat for his dinner, supper and breakfast a meal of venison and fish seasoned with salt which he had brought in his pocket, and to sleep on a pile of skins in the half completed big tamarack house. He returned home in great ill humor and never thereafter attempted to hold a court at Dakotah. The first term in St. Croix County was convened at Stillwater, June 1, 1847. Judge Charles Dunn, of Mineral Point, presiding; by an act of the Wisconsin Legislature approved April 10, 1843, St. Croix, for judicial purposes, had been attached to Crawford in Judge Dunn's district.

In the spring of 1841 Mr. Brown brought to Dakotah his two brothers, Samuel F. and Nathaniel B. Brown; his brother-in-law, Paul J. Carli, whose wife, Mrs. Lydia Ann Carli, was Brown's half sister, and their three children; Dr. Christopher Carli, a brother of Paul, a man named Givens, and Mr. Brown's own family from Gray Cloud Island. The men first came, leaving the women at Gray Cloud, and completed the tamarack house, and the women and children came June 29. Brown's and Carli's families occupied the house together until in the

fall of 1842, when Mr. Brown removed with his family over to Red Rock Prairie, on the Mississippi. In 1844 Paul Carli removed to his claim near Afton, and was drowned in the St. Croix in the spring of 1846. His widow then returned to the tamarack house[1] to which Mr. Brown had also returned in the spring of 1844, attracted by the bright prospects for the future of the then new establishment of Stillwater. Brown's town site of Dakotah has long been a part of Schulenberg & Carli's Addition to Stillwater.

In the fall of 1842 Jacob Fisher, a millwright and carpenter, and Sylvester Stateler, a blacksmith, both of whom had been in the employ of the St. Croix Lumbering Company, came to Dakotah. They spent the ensuing six months at work on the court house built by Joseph R. Brown. In the early spring of 1843 Fisher discovered what seemed a fine site for a saw-mill. His practical vision and his large experience led him to conclude that if a small stream, called Brown's Creek, which emptied into the St. Croix, not far from the tamarack house, were turned into the lake afterwards called McKusick's Lake and a canal only 60 feet in length cut at the lower end of the lake, the water would be conducted over the bluffs and down a ravine near the shore of the St. Croix, where it could be utilized in driving a saw-mill.

Eventually a company called the Stillwater Lumber Company, and composed of John McKusick, Elam Greely, Elias McKean and Calvin F. Leach purchased Fisher's claim-right to the land which he had made for $300 and the promise of employment as a mill-wright and began the erection of a mill. The company's articles of organization were signed October 26, 1843. The site was called Stillwater, a name suggested by John McKusick in memory and honor of his former home at Stillwater, Maine, and because of the stillness of the water in the lake and the anomaly of building a mill beside still water. At this time, however, nobody thought of laying out a town by the name of Stillwater; Mr. Brown's town of Dakotah was all that was contemplated and all that was demanded.

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[1]After her first husband's death Mrs. Carli married his brother, Dr. Christopher Carli. She died at Stillwater in 1906.

The mill was completed and began work in April 1844, and by June was running at its full capacity and sending its products in rafts to market down the St. Croix and the Mississippi. That spring Anson Northup built a hotel, and in the fall, Socrates Nelson erected a general store and dwelling house under one roof. In 1845 there were about twenty-five men in what is now Stillwater and eight women. The latter were Mrs. Paul Carli, Mrs. Allen, Mrs. Andrew Mackey, Mrs. Anson Northup, Mrs. Jesse Taylor, Mrs. William Cove, Mrs. Socrates Nelson, and Miss Sarah L. Judd. The post-office was established January 14, 1846, and Elam Greely was the first postmaster.

In 1847 the Government survey of the land in the St. Croix district was made. In the summer of 1848 the town was regularly surveyed and platted by Harvey Wilson as the town of Stillwater. At this time, the land not having been in market, there was no legal title to it in the district, nor could such title be secured until the original claims were proved up and the entries made and recorded, although for some time claims had been divided and subdivided and numerous sales and transfers made, the venders promising to make valid deeds after the "land sale."

The first land sale at St. Croix Falls came off August 14, 1848, and continued for about two weeks. The second sale began September 15 and was an important affair. At this latter sale the first lands now within the limits of Minnesota were disposed of, including the original sites of St. Paul, Stillwater and St. Anthony, and in all 3,326 acres, a part lying in Wisconsin, were sold.

There were then but few settlers in the district, and they were located chiefly in and about the three villages named. For their better accommodation timely public notice was given of the next day upon which certain tracts would be offered; so that upon no day were more than twenty or thirty persons present at the sales. There were no speculators or land sharks in attendance; all such characters were warned or knew enough to keep away. Invariably there was but one bidder for a tract, except in a single instance, where two settlers from the vicinity of

Cottage Grove bid against each other for a certain tract of timber. This particular tract brought $1.35 per acre; all others were sold for $1.25 per acre.

The settlers at Stillwater, St. Paul, and St. Anthony selected agents or trustees to bid off the lands and to make deeds to the proper parties afterwards. John McKusick was selected as the agent for the Stillwater settlers. He had already purchased for himself the interests of a considerable number of persons who had made claims in the settlement and was considered the best man for the trust. He bid off all the land in the town site and received patents in his own name, but after the sale gave warranty deeds to the claimants. H. H. Sibley, A. L. Larpenteur, and Louis Robert were the agents of the St. Paul settlers.

The Stillwater mill was an important institution for the development of the country. It furnished lumber to build the first frame houses in St. Paul, including the Central House, where the first Minnesota Legislature convened. The St. Croix mills shipped nearly all of their product down the Mississippi; the Stillwater mill supplied largely the local demand, although exporting considerable quantities to remote markets. This business attracted trade and population, and the town grew apace. The town was incorporated by an act of the Legislature approved March 4, 1854.

Chapter VIII.

FATHER GALTIER AT ST. PAUL.

THE settlement made by the evicted families from Fort Snelling grew apace. By the close of the year 1839 there were perhaps thirty families living on and near the north bank of the Mississippi, between the eastern line of the reservation, and the swamp between the high white sandstone bluff a few miles below. The mistresses of some of these families were Indians of the full or mixed blood and nearly all were Catholics. The adult male members worked when the opportunity was offered for the authorities at the Fort, for the traders, and in time some of them went over to the St. Croix Mills.

In the summer of 1839, Bishop Loras, of Dubuque, had visited Fort Snelling and Mendota with a view of establishing mission stations in the country. He remained at the Fort and Mendota thirteen days and then returned to Dubuque in a canoe. During his stay in the St. Peter's region he had a busy and memorable experience. He witnessed the return of the Sioux from the bloody grounds of Rum River and the St. Croix where fearful vengeance for the murder of Nekay had been taken. He had looked upon the great cataract discovered by Father Hennepin and admired it and the other scenic features of the country, especially those of the "superb Mississippi," as he called it. Moreover he had done good service for the church. Writing of his expedition in July, upon his return he said:

> Our arrival [at Mendota] was a cause of great joy to the Catholics, who had never before seen a priest or bishop in those remote regions. They manifested a great desire to assist at divine worship and

to approach the sacraments of the church. * * * The Catholics of St. Peter's amount to 185, of whom we baptized 56, administered confirmation to eight, communion to 33 adults, and gave the nuptial benediction to four people. Arrangements have been made for the construction of a church next summer, and a clergyman is to be sent when he is able to speak French, English, and the Sioux.

At that date Bishop Loras's diocese comprised what is now the State of Iowa and the country to the west and northwest to an indefinite extent. Even the country of Northern Illinois to the east of the Mississippi was generally attended to by priests from the Dubuque diocese, although that district was under the direct jurisdiction of the Bishop of Milwaukee.

The clergyman selected by Bishop Loras as the missionary to St. Peter's was Rev. Lucian Galtier, born in the Department of Ardeches, France, in 1811. He was a young man of twenty-nine when, in January, 1840, he was ordained to the priesthood at Dubuque and his appointment came in April following. Upon the Bishop's return to Dubuque from his trip to the St. Peter's Country, he became so engrossed with his other duties that he forgot all about his promise to send up a priest until in the early spring he heard the whistle of the first boat of the season as it prepared to land at Dubuque. At once he notified Father Galtier of his assignment and Williams says (History of St. Paul, p. 109) that "in one hour that clergyman was enroute to his new field of labor."[1]

With the exception of the brief visit of the Jesuit Fathers to the southern shore of the head of Lake Superior made near

[1]Bishop Loras had visited Europe in 1838 in quest of laborers for the large field which had been confided to his spiritual charge. In France a number of priests volunteered to accompany him to the wilds of America. Among these zealous and courageous spirits were some that rose to high distinction in the affairs of the church and in the history of the country. They were Rev. Joseph Cretin, who became Bishop of St. Paul; Rev. Joseph Pellamourgues, who became Vicar General of Dubuque; Rev. Augustin Ravoux, who became Vicar General of St. Paul and Monsignor and Rev. Lucian Galtier, who gave the city of St. Paul its name. The party landed in New York in the fall of 1838. Revs. Galtier and Ravoux had not quite completed their ecclesiastic studies and proceeded to Emmitsburg College, Maryland, where they remained about a year. They were ordained in Dubuque, January 5, 1840. See Memoir of Rev. Lucian Galtier by Rt. Rev. John Ireland, Minn. Historical Society Collection Vol. 3, p. 222 et seq.

LUCIAN GALTIER

THE CHAPEL OF ST. PAUL.

the close of the seventeenth century, and the occupation by Fathers Guignas Gonar on Lake Pepin, in 1727-1737, the commencement of Catholicity in Minnesota dates from the visit of Bishop Mathias Loras and Father Pellamourgues, in the summer of 1839. Organized Roman Catholicism certainly had its origin then. Previously, of course, there had been Catholics in the country among the fur traders and the soldiers, but they had no sort of church organization. There was no opportunity for their approaching any of the sacraments, their sins went unshrived and unconfessed.

The Bishop was much impressed with the situation and promised the Catholic soldiers of the garrison and the employes of the American Fur Company at Fort Snelling that they should soon have a priest permanently located among them. He and Father Pellamourgues set out on their return in a canoe purchased for them by Peter Quinn, the Sioux interpreter. They were their own boatmen and not accustomed to the work of paddling a boat. It was not very long after they had set out until the Bishop had blistered his hands so that they were forced to land and encamp at Dayton's Bluff, only a few miles below Mendota.

The incidents of Father Galtier's visit and mission are very interestingly set out in a letter which, in January, 1864, he wrote to Bishop Grace, of St. Paul, who had requested of him an account of his experiences and which is published in full in Archbishop Ireland's Memoir of the good father in Volume III of the Minnesota Historical Society's Collections.

Father Galtier says that he left Dubuque for St. Paul April 26, 1840, and in due time arrived at Fort Snelling, then garrisoned by a few companies of regulars under Major Joseph Plympton. He introduced himself to Scott Campbell, the Indian interpreter at the post to whom he bore a letter of introduction from Bishop Loras, and "received a kind welcome from his good wife, a charitable Catholic woman." For a month he remained in the Campbell household "as one of the family;" then occupied a separate room and made of it a kitchen, a parlor, and a chapel, building a modest and humble altar for religious service.

In that precarious and somewhat difficult condition," [says Father Galtier] I continued for over a year. On the Fort Snelling side I had under my care, besides some soldiers, six families: Resche, [Antoine] Pepin, [Peter] Quinn, [Scott] Campbell, Bruce, and Resicke; [Reasch] on the St. Peter side, besides some unmarried men in the employ of the Fur Company, five families. [Jean Baptiste] Faribault, Martin, Lord, and two [Amable and David] Turpins. * * * In the month of August, 1840, I returned sick from a visit I had made to a few families settled in the vicinity of Lake St. Croix. Prostrated by bilious fever and ague at the military hospital for nearly two months, I could not have recovered were it not for the skill of Dr. [George F.] Turner and the continued and kind attentions of his good lady. My grateful heart will never forget the relief I experienced at their hands. Both the officers and soldiers also showed me great respect and affection and twice, some time after, although they had their own chaplain, I had occasion to preach and offer the Holy Sacrifice in the Fort.

What most grieved me while sick was the thought that no fellow priest was nearer than 300 miles to me; but most unexpectedly God, in His mercy, sent me one whose visit seemed to me as that of an angel. Rt. Rev. Dr. De. Forbin Janson, ex-Bishop of Nancy, France, was then visiting the Northwest; he arrived at the Fort, and hearing that I was sick alighted immediately from the boat, received my confession, and spoke to me words of consolation and comfort. This was in August, 1840.

Describing the situation of the evicted settlers from the Fort Snelling Reservation at their new settlement Father Galtier writes:

Already a few parties had opened farms in this vicinity; added to these the new accessions formed quite a little settlement. Among the occupants of this ground were [Joseph] Rondo, (who had purchased the only cultivated claim in the place, that of [Edward] Phelan, Vetal Guerin, Pierre Bottineau, the Gervais brothers [Benjamin and Pierre] and others. I deemed it my duty to visit occasionally these families and set to work to choose a suitable spot for a church. Three different points were offered. One was called La Point Basse, (the Lower Point) a Point Le Claire, now called Pig's Eye, but I objected because that locality was the very extreme (eastern) end of the settlement, and, being low ground, was exposed in high water to inundation. The idea of having the church one day swept down to St. Louis did not please me. Two and one-half miles further up, on his claim, a Catholic, named Charles Mousseau, offered to me an acre of his ground; but neither did this place suit my purpose. I was indeed looking ahead to the future as well as to the present time. Steamboats could not stop here; the

bank was too high and steep and the space on the summit too narrow; and communication would be difficult with the places of the other settlers up and down the river.

After mature reflection I resolved to put up the church as near as possible to the [Fountain] cave, it being more convenient on my way from St. Peter to cross the river at that point, and that being the nearest spot to the head of navigation, outside the Reservation line. Messrs. Benjamin Gervais and Vetal Guerin, two good, quiet farmers owned the only ground that appeared likely to suit. They both consented to give sufficient land for a church, a garden, and a graveyard. I accepted the extreme easterly part of Mr. Guerin's claim and the extreme west of Mr. Gervais'.

In the month of October, 1841, I had, on the above stated place, logs cut and prepared, and soon a poor log church, that would remind one of the stable of Bethlehem, was built. The nucleus of St. Paul was formed. On November 1, 1841, I blessed the new basilica[1] smaller, indeed, than the Basilica of St. Paul, in Rome, but as well adapted as the latter for prayer and love to arise from pious hearts.

The church was thus dedicated to St. Paul, and I expressed a wish that the settlement should be known by no other name, and I succeeded. I had, previously to this time, fixed my residence at St. Peter, and as the name of Paul is generally connected with that of Peter, and the Gentiles being well represented in the new place in the persons of the Indians, I called it St. Paul. Thenceforth we could consider St. Paul our protector—and as a model of apostolic life could I have desired a better portion? With the great Apostle I could repeat, "When I am weak then I am powerful."[2] A good motto, I am sure, even for an apostolic bishop.

The name St. Paul, applied to a town or city, seemed appropriate. The monosyllable is short, sounds well, and is understood by all denominations of Christians. When Mr. Vetal Guerin was married, I published the banns as being those of a resident of St. Paul. A Mr. [Henry] Jackson put up a store and a grocery was opened at the foot of the Gervais claim. This soon brought steamboats to land there. Thenceforth the place was known as "St. Paul Landing," and later on as St. Paul. Some time ago when an effort was made to change the name, I did all I could to oppose the project by writing from Prairie du Chien.

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[1]The name basilica was given by the early Popes, to Christian churches. What are called the eight minor Basilicas of Rome are noted Catholic churches; St. Paul's is among them.

[2]2 Corinth, 12-10. In the Protestant version the word "powerful" is translated "strong."

Father Galtier located at Mendota. Old Jean B. Faribault, the oldest pioneer of the place, gave him a small house which he repaired and converted into a chapel, although residing in one corner of it until he could do better. He visited the people at St. Paul regularly, and occasionally journeyed to the St. Croix settlement, then called Willow River, and now Hudson. He began the erection of a church, which was called St. Peter's at Mendota, and which was completed and blessed October 2, 1842. The church bell, the first in Minnesota, was donated by a citizen of St. Louis and blessed by Father Galtier Oct. 29, 1842.[1]

Father Galtier remained in charge of the mission of St. Peter and St. Paul until May 25, 1844, when, pursuant to orders, he left to take charge of the mission at Keokuk, Iowa. The two Minnesota stations were left to the ministrations of Father Augustin Ravoux. In 1848 Father Galtier returned to France, intending to spend in his native country the remainder of his life. He had been strongly pressed to take charge of the French congregation of the Cathedral at St. Louis, but refused. After some time spent in Europe he again longed for the life of an American priest on the Northwestern frontier and again crossed the Atlantic. On his return he was stationed at Prairie du Chien, where he remained until his death, February 21, 1866.

The good father visited St. Paul in 1853 and in 1856, and thus saw, in part, the great accomplishments to which his work

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[1]The first bell of St. Peter's church, blessed by Rev. Father L. Galtier in October, 1842, was left in the steeple of the old log church at the foot of the hill until the establishment of a convent of the Sisters of St. Joseph in the old house of General Sibley, when the bell was placed in a small belfry surmounting the convent. It remained there until after the Sisters had left. Under Rev. Father T. Duane's administration it was stolen. Father Dunne sent Mr. Eugene LeMay to hunt it up. He visited all the pawn shops and second-hand stores in St. Paul and Minneapolis, but to no avail. The present bell was purchased with money collected among parishioners. Mr. Gamelle (or perhaps his name ought to be Duhamelle) I am told contributed $100. Mr. LeMay and Mr. Auge state that it was blessed by Rev. Father Peyragrosse; they could not remember the date, but very likely it was in 1853, while Father Ravoux was in France.—Letter of Rev. Father Anatole Oster, pastor of St. Peter's Church, Mendota, dated Sept. 12, 1906.

AUGUSTIN RAVOUX.

Bibliothèque Nationale

in building the little chapel of St. Paul had led. But, as Archbishop Ireland has said:[1]

> Even if he did have the future in view when he was selecting the site of that church we may feel sure in asserting that he never, in his most sanguine dreams, fancied that the settlement would become what it is, and what it is destined to be. He loved our city and our State dearly; in his old age nothing used to afford him more pleasure than to meet with persons from St. Paul and to inquire of them how our city was progressing. We are glad to say that St. Paul remembers him. His friends take an especial pride in the fact that his death was noticed in the proceedings of the Historical Society, not many months ago, and the city council gave his name to one of the streets of the city.

The registers of the Cathedral at St. Paul show that in the first few years of his ministry in Minnesota Father Galtier baptized 137 persons in the Catholic faith; 40 in 1840, 35 in 1841, 35 in 1842, and 27 in 1843. The greater number of these were French Canadian, and mixed blood Sioux children. In the first three months of 1844 he baptized twenty-three Indians. The members of his flock were comparatively few in number; they were poor and unaccustomed to many material comforts. They could not afford to give their spiritual counselor anything but the humblest support, and his lot was one of privation and deprivation calling for great courage and self-denial on the part of the zealous young missionary. His successor, Father Augustin Ravoux, was eminently fitted for the place by pious zeal and undaunted courage in the cause. For some time he had been doing missionary work in the country and had visited and ministered to the faithful of the church at Provencalle's trading post at Traverse des Sioux; La Frambois, at Little Rock; the posts at Lac qui Parle, Lake Traverse and Lake Pepin, besides assisting Father Galtier at Mendota.

From the time of Father Galtier's departure until 1849 Father Ravoux held services on alternate Sundays in Mendota and at the little church of St. Paul. He says:

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[1]Memoir of Rev. Lucian Galtier, Minnesota Historical Society Collection Volume 3, p. 230—written in June, 1867.

From the departure of Father Galtier, in the spring of 1844, till 1851, excluding the time of my two excursions to the Missouri River and a few days I spent in Dubuque every year, I alternately resided in Mendota and St. Paul. For about three years I was two consecutive Sundays in Mendota and the third one in St. Paul, preaching every Sunday in the French and Indian languages when at Mendota, and doing the same at St. Paul as soon as we had in our congregation some members who did not understand French; but this was not before 1848 or 1849.[1]

The little settlement about the church of St. Paul received accessions from time to time and was known throughout the country as St. Paul's. There were straggling cabins occupied by families from two miles below the Fountain Cave to "Pig's Eye." Near and about the latter locality were some mixed blood people.

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[1]"Memoirs, Reminiscences," Etc., of Father Ravoux, p. 59.

Chapter IX.

EARLY SETTLEMENT OF ST. PAUL.

ON the night of June 9, 1842, there landed from a steamboat at St. Paul's a man named Henry Jackson, whose advent proved to be epochal in the career and history of the place. He was a Virginian and was born in 1811. He had served as orderly sergeant in the "Patriot Army" of Sam Houston that achieved the independence of Texas. In May, 1838, at Buffalo, New York, he married Angeline Bivins, a model wife for an enterprising and intelligent character, such as he was. Soon after his marriage he removed to Green Bay, Wisconsin, and thence to Galena, Illinois, where he engaged in business, but was unsuccessful. He had learned of the situation at St. Paul's and determined to establish himself there and with the remnant of his Galena stock to open a store for the sale of Indian and frontier goods. It was a dark, rainy night when he landed, he did not know a single person or a single foot of the territory in the place, and it required much search and effort to find a shelter for himself and wife until the morning. Quarters were finally found at the house of James R. Clewett, although his father-in-law's family, the Perrys, were at the time members of the household. Here Mr. and Mrs. Jackson remained for some days and then Jackson rented of Pierre Parrant—"Old Pig's Eye"—a cabin on the levee, which was his residence for some weeks. He soon purchased of Benjamin Gervais about two acres now lying in the block bounded by Jackson and Robert on the east and west and Third and Bench Streets on the south and north. The tract was then a high bluff bank, and on a point overlooking the river.

Mr. Jackson built a cabin of tamarack poles and opened a stock of goods especially selected for the local demand. In the summer of 1843 he enlarged and sold a half interest in his business to William Hartshorn, and in September of that year the firm took into their employ as clerk, and French interpreter, Auguste Louis Larpenteur, a native of Baltimore, but of a prominent old French family and who is (1908) yet an honored and honoring citizen of St. Paul.

Henry Jackson became very prominent and serviceable in the early affairs of St. Paul. His store was a creditable establishment, was independent of the Fur Company, and popular among the settlers and the Indians. In 1843, while the Minnesota country east of the Mississippi belonged to Wisconsin Territory, he was appointed by Governor Henry Dodge a justice of the peace for St. Croix County. In 1846 he was appointed the first postmaster at St. Paul's. In 1847 and 1848 he was a member of the Wisconsin Legislature, representing the County of St. Croix. He was also a member of the first Territorial Legislature of Minnesota and of the first town council of St. Paul. In April, 1852[1] he removed to Mankato, becoming one of the first four settlers of the place, where he died July 31, 1857. Jackson street, in St. Paul, and Jackson County were named for him, and also Jackson Street in the city of Mankato. His widow married John S. Hinckley, a pioneer of Mankato, and died in that city January 1, 1894.

The Indian fight now best known as the battle of Kaposia was a great advertisement for the little settlement at St. Paul. The newspapers down the river made mention of it and hundreds of people throughout the country heard for the first time of the place and became more or less interested in it. The fact that, even through a tragic incident, it was known for the first time in many quarters that there was such a locality was worth something. At all events, the settlement was not reduced in size or diminished in importance by reason of the big Indian fight, but grew steadily.

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[1]See Semi-Centennial History of Mankato; Henry Jackson, P. K. Johnson, John S. Hinckley and William Paddock were the first persons to settle in Mankato, April, 1852.

During the year of 1843 there was quite an accession to the population. Among those whose coming was influential upon the future of the place were John R. Irvine, J. W. Simpson, C. C. Blanchard, William Hartshorn, Auguste L. Larpenteur, Scott Campbell, Antoine Pepin, and Ansel B. Coy. Of those named, Irvine brought a considerable stock of goods from Prairie du Chien in a Mackinaw boat towed by the steamboat Otter, and he bought a considerable tract of land which eventually became a part of the city, and which includes the part bearing his name. Coy and Blanchard had been Irvine's partners at Prairie du Chien and continued in that relation at St. Paul for a few months, and then returned to that indefinite locality called "down the river." Simpson, a Virginian, who had spent some time with the missionaries, opened a second regular store, and in 1849 became county treasurer. Hartshorn came to St. Louis and at first formed a partnership with Henry Jackson[1] and subsequently engaged in business on his own account, becoming very prominent as an early business man; for some time he was associated with A. L. Larpenteur. Scott Campbell, half-blood Sioux, was the son of Colin Campbell, a Scotch trader of early times, and for many years had been post interpreter at Fort Snelling. Antoine Pepin had been the government blacksmith at Fort Snelling and set up the first smithery in St. Paul.

In 1844 there came to St. Paul's from Prairie du Chien a young trader born in Missouri of French extraction, named Louis Robert, with a large stock of goods, who became conspicuous as a merchant and trader and in other positions in the affairs of the town and country. One of the principal streets in the city was named for him. At one time he was prominent as an owner and manager of steamboats on the Mississippi and Minnesota.

With Captain Robert came Charles Bazille, a French Canadian carpenter, who built of heavy lumber what was called the first frame house in the place, a warehouse at the foot of Jackson

[1]The first deed on the Ramsey County records is dated April 23, 1844. By its terms Henry Jackson conveys to William Hartshorn, for $1,000, the "half of three acres, it being the place where said Jackson now lives, lying immediately on the Mississippi River and known as St. Paul's Landing."

street for Captain Robert. He also built this year the first grist and saw mill on Phalen's Creek, and the next year married Annie Jane Perry, the youngest daughter of Abraham Perry, who was an old Swiss watchmaker.

In May, 1844, Rev. Father Augustin Ravoux succeeded Rev. Father Galtier as the officiating priest of the chapels at Mendota and St. Paul, the latter going to the Indian and half-breed mission at Keokuk, Iowa. At this time the Methodist Mission at the Red Rock was presided over by Rev. B. F. Kavanaugh, afterwards a bishop in the Southern states. Among his assistants was Charles Cavileer, a saddler, who located in St. Paul in 1845. He died at Pembina (which town he laid out) in August, 1902, aged 84. A county of North Dakota was named for him.

During the year 1846 William H. Randall and his son William, merchants, were valuable acquisitions to the town. In April this year the first post-office was established with Henry Jackson as postmaster. A small rude box with sixteen pigeon holes constituted the receptacle for the mail received from 1846 to 1849. This box is still possessed by the Minnesota Historical Society.

Dr. Williamson secured a school teacher for the little settlement at St. Paul's, and in July, 1847, she came and opened her school in a wretched little cabin with half a dozen scholars. She was a Miss Harriet E. Bishop, a lady of accomplishments, of deep piety, and comely of form and feature. It was of advantage to the little settlement when its inhabitants could write to their friends in the States and say "We have a school here." And it was a great advantage when they could say "There is a large Indian village near-by, but its occupants are peaceably disposed and give us no trouble." In July, 1847, a Sunday school was opened, and religious services were held regularly by both the Protestants and the Catholics. The forces of civilization have always been the auxiliaries of Christianity.

The settlement grew rapidly this season and the frequent demand for business and residence sites created the necessity of having at least a portion of its location regularly laid out into a town-site, with streets, lots, blocks and other sub-divisions.

CORNER OF THIRD AND ROBERTS STREETS, ST. PAUL—1851.

ST. PAUL IN 1857.

Louis Robert, A. L. Larpenteur, and other property owners pushed the project, and in August Ira B. Brunson, of Prairie du Chien, and his brother, Benjamin W. Brunson, with Thomas S. Odell as chairman, performed the work.

The tract known on the records as "St. Paul Proper," and containing about ninety acres was laid out. It embraced the territory between St. Peter and Sibley streets east and west and the river and Seventh street north and south. The streets were rather narrow, there is an almost entire absence of alleys, and no parks or open squares of any sort were provided for! The east and west streets ran straight in these directions, but the others instead of running due north and south were laid out perpendicularly to the river.

The original proprietors, as shown by the recorded plat, were Louis Robert, David Lambert, Henry Jackson, Benjamin W. Brunson, Charles Cavileer, Henry H. Sibley, J. W. Bass, A. L. Larpenteur, William H. Forbes, J. W. Simpson, Henry C. Rhodes, L. H. La Roche, John B. Coty, and Vetal Guerin. Some of these were men of large sagacity and rare good judgment, but when they laid out their town they did not imagine that it would become anything but a village, or ever extend beyond its original confines or metes and bounds.

After the property was surveyed, the lots or blocks were deeded and arranged so that each owner would have a valid title to his own land. Weekly meetings were held to regulate and determine property lines. There was a committee to decide the ownership of lots in dispute, but the most of the controversies were settled before the plat was signed.

In August, 1848, occurred the first regular sale of the public lands east of the Mississippi in this quarter, which has been noted in the sketch of the founding of Stillwater. Although the land had been purchased from the Indians in 1837 it was not surveyed until ten years later, or in the fall of 1847. In and about St. Paul the township lines were run by James M. Marsh, and the subdivisions made by Isaac N. Higbee in the following month.

The sale began at the land office at St. Croix Falls August 14, pursuant to the President's proclamation. General Samuel Leech, of Illinois, was the receiver, and Colonel C. S. Whitney the register. There were two sales, the second beginning September 15. At the first sale the land in the St. Croix Valley, on the Wisconsin side, was sold, and at the second the townsites of St. Paul, Stillwater, St. Anthony and the lands in the St. Croix peninsula on the Minnesota side were disposed of.

St. Paul Proper being owned by various parties, the owners —or correctly speaking, the claimants of the lots, since there was no actual ownership—selected H. H. Sibley, Louis Robert and A. L. Larpenteur as trustees to enter the lands in question and to deed the same to their respective owners. This was quite a difficult task, but finally every lot, block, or fraction of either, was conveyed to those having the rightful claims of proprietorship. Williams says that some of the simple Canadian owners, who did not thoroughly comprehend the American system of land transfers, allowed their titles to remain in Sibley's name for two or three years, because they considered it safer. It actually required firm and positive action on the part of their trustee to induce some of them to receive their deeds and perfect their transfers by the proper registration. Afterward they required frequent advice and direction in the management of their properties and often begged the "long trader" as the Indians called Sibley to take them into his care again.

Before the land sales came off there was a rumor that unscrupulous speculators and their agents would be present to bid for the lands against the actual settlers on them. Accordingly a number of the St. Paul and other settlers attended the sales to protect themselves and their neighbors. In his "Reminiscenes," General Sibley says:

> I was selected by actual settlers to bid off portions of the land for them, and when the hour for business arrived my seat was invariably surrounded by a number of men with huge bludgeons. What they meant I could, of course, only surmise, but I would not have envied the fate of the individual who would have ventured to bid against me.

Chapter X.

EARLY COURT CASES.

FIRST CRIMINAL CASES.

IN the winter of 1836-7 the Chippewas of the Sandy Lake region gave much trouble and uneasiness to the traders and missionaries established in that quarter. They shot and devoured some of Mr. Boutwell's mission cattle and caused him a great deal of discomfort and alarm by their threats and menaces.

December 6, 1836, Alfred Aitkin, the mixed blood son of William A. Aitkin, was murdered by the Chippewas at Red Cedar Lake, now called Cass Lake. At the time the victim was in charge of his father's trading house at Red Cedar, the senior Aitkin having his headquarters at Sandy Lake. The latter had long before made a common law marriage with a Chippewa woman, by whom he had several children. He had sent away his children to school, when they became of proper age, and they were well educated. His son Alfred, who was murdered, had been carefully instructed and trained, and was an unusually intelligent and accomplished half blood of about twenty-one years of age.

The circumstances, as Rev. Boutwell says[1] they were related to him, were as follows: A Red Cedar Indian had a wife of ill repute. Another Indian of the band named Che-ga-wa-skung had become involved with her and was much attached to her,

[1]Macalester College Contributions, 2d Series, p. 35.

to the extent that he planned to kill her husband. Alfred Aitkin, the young trader was fully informed of all the facts and attempted to stop the scandal. He and some of his men had returned from Red Lake December 5. The Indian with the faithless wife was one of his employes. The young trader directed a squad of his men to go to "Lake Winipeck," (or Lake Winnebagoshish) for him and ordered that the disgraced husband and his disgraceful wife accompany the party. The woman had said to her husband, concerning her lover: "He is always after me;" and so the husband was very willing to take her with him to Winipeck, "to get her out of the way," as Boutwell tells us.

The party set out early. Che-ga-wa-skung soon discovered that his inamorata had gone and he was furious. He knew that young Aitkin was in part responsible and he was greatly incensed against him. Boutwell relates what followed:

> Alfred remained with one man and a lad of sixteen. In the course of the morning the man came in and told Alfred that an Indian was cutting his store down with an axe. Alfred opened the door and told the Indian to desist, but he paid no attention. Alfred went and took the axe from him; the Indian, took his gun, which he had hid, and committed the horrible deed. The Indian supposed Alfred was the cause of sending away the man's wife. He had loaded his gun with the determination of killing the woman.

No attempt to arrest the murderer was made until the father of the murdered man returned to Sandy Lake, a month later. In his diary for Friday, January 13, 1837, Boutwell, then at Leech Lake, says:

> About 10 o'clock Sabbath evening, Mr. Aitkin arived with three or four men from Sandy Lake. He immediately sent to Lac Winipeck for men to join his party here (Leech Lake). On Wednesday I started with him for Red Cedar Lake to apprehend the murderer, accompanied by ten half-breeds, six Frenchmen, the clerk of the post, Mr. (Allan) Morrison, and Big Cloud. We encamped near the borders of Red Cedar Lake. Left at midnight and proceeded to Grand Island, where we left our dog trains, and reached the Indian encampment an hour before day. Secreted ourselves until daylight, when we sallied forth and came upon the Indians while they were yet asleep. Secured first the axes, guns, and knives; and then took the murderer without resistance and brought him to Leech Lake.

Sunday, 14th.—As Indians are arriving, we thought best to send the criminal on to Sandy Lake, while Mr. Aitkin remained to see the Chief, for whom he had sent, and to whom he wished to make some communication. Yesterday morning five armed men started with him, but, strange as it may seem, at midday, and on the open lake he made his escape.

Friday, (Jan.) 20th.—About 2 o'clock last evening the second party returned having pursued the murderer for six days. On seeing the party approach, his two brothers took him on their backs (as his feet were frozen) and fled until fatigue and hunger compelled them to return.

The chief agent in running down the murderer was George Bonga, the mixed blood Indian and negro, sub-trader under Aitkin. He followed him night and day for the entire six days, and William L. Quinn says that Bonga's unrelenting pursuit was long a matter of comment in early days. Francois Brunet who was Nicollet's guide, was the leader of the party that finally captured Che-ga-wa-skung. Boutwell writes in his journal:

Saturday, 21st.—Mr. Aitkin left this morning for Sandy Lake with the murderer, accompanied by a party of men. F. Brunt is to receive $200 for his services in apprehending the murderer a second time. The rest of the party are to receive $500 which is to be distributed at Mr. Aitkin's discretion. If the American Fur Company refuse to cancel the above, I pledge to assume one-half on my own responsibility.

The murderer was lashed to a dog sledge, which was pulled by three dogs and taken to Fort Snelling. William L. Quinn, then a lad of nine years, remembers that when the party reached the Fort the Indian had a perfect network of ropes and cords about him. With the prisoner Mr. Aitkin sent the following to his friend and chief factor, Sibley, at Mendota:

Sandy Lake, January. (1837)

Dear Henry: Alas! What have I to write you when I have to tell of the atrocious murder of my son Alfred during my absence below! The best beloved of my family—and, my friend, if you knew what I felt when I heard of it, and what I still feel!

I have got the monster into my hands, and it is only the power of an Almighty Seeing God which has withheld me from cutting him into pieces. It seems, by the monster's account, he had an accomplice in the bloody deed. As soon as I can get him safely on his way to St. Peter's that he may be confined in safety until he is brought to trial,

I will go in pursuit of the other monster, and I will have him, dead or alive. I will show these Indians that they cannot murder us with impunity.

The whole country has been in a very unsettled state. During my absence at Leech Lake, they used our people very ill. They did not murder them, but that was all; they compelled them to give them all the goods they had on credit—never to be paid—and if they had made the least resistance it was the intention of the Indians to have killed them. At every post there has been less or more trouble and danger.

They are generally disaffected to our Government, and they say that the Government are afraid of them; or they otherwise would not have made so many promises to them and told so many lies. If the Government do not take it in hand immediately and stop these high pretensions of the Indians, they will eventually have to make war upon them.

The greater part of them were collected together when I arrived here, prepared to go and make war on the Sioux. As near as I could learn, they intended to go to the mouth of the St. Peters, or as near there as they could; but my return was so unexpected that it quite disconcerted all their plans; for neither ammunition one load, nor tobacco one pipe, shall they have from me until I have ample satisfaction for all their outrageous conduct since last fall.

There is no doubt whatever that if I had not been absent from the Department none of these unfortunate occurrences would have taken place; but, now that things have come to this crisis, the only remedy to fetch them to reason must be that no trader should be allowed to winter anywhere in this country but at this place. This should be enforced on the mind of the Indian Department. We are determined to concentrate all our outfits at this one place.

I believe and am convinced that it is the menaces made at one time from the Indian Department and never carried into execution, and the promises made at another time and never performed, (that) caused them both to be disaffected and to despise our Government. As the Governor [of Wisconsin Territory, General Henry Dodge] intends to visit this section of country, it would be advisable that he should be accompanied by a force sufficient to show them that he can correct them by force, if it is necessary. I write to you, my friend, that you may use your influence on this subject.

The act of these monsters have been one of the most outrageous character ever committed in the Indian country, because it was done without the least cause on the part of my poor murdered boy. Mr. Boutwell has written you, and all the particulars you will get from Mr. Morrison and John (Aitkin) who take the criminal to St. Peter's. Do

see that the wretch is well secured, as he made his escape once since I took him, and it cost us a pursuit of six days to retake him.

I expect to take the other. I may meet with resistance, but if I do there will be more heads than one lay low. There is but one feeling among all my people here—to fight unto the end in the cause, because ours is a righteous one.

Mr. Boutwell, like a man and a Christian, shouldered his musket and followed me to the camp, where we dragged the wretch out of his lodge and tied him and without consulting a single villain of an Indian. * * * In sorrow, believe me, ever truly yours, William A. Aitkin.[1]

The Indian, as previously stated was securely strapped to a dog sledge and taken to Fort Snelling by John Aitkin, Allan Morrison and Chaboulies. The party arrived at Fort Snelling February 20. Here the murderer was confined until the following May, when he was taken to Prairie du Chien, then the county seat of Crawford County, Wisconsin, to which county the site of the murder, at Sandy Lake, then belonged.

At the May term of the District Court, 1838, at Prairie du Chien, having been regularly indicted, the murderer was tried. Like many another red-handed criminal on other occasions, he was acquitted, although there was no possible doubt of his guilt. The main facts were given in a letter from Thomas P. Burnett, (the District Attorney, who prosecuted the criminal) to William A. Aitkin, and dated May 28, as follows:[1]

* * * The point upon which the verdict of the jury was given was, as I understand, whether the deceased was an Indian or a white man. The law of Congress extending the laws of the United States in criminal cases over the Indian country excepts offenses committed by one Indian, against the person or property of another Indian. The Judge decided that the first rule of law was that the character and name of children followed that of the mother; but that rule was superseded by another—upon proof of marriage and legitimacy, upon which proof the law would give to the children the character and condition of the father; and to do this it was not necessary to prove an actual marriage by certificate and the production of a license, etc., but the fact might be established by general reputation in the country and by the acknowledgment of the parents, etc.

It was proven upon the trial that the parents of the deceased were generally reputed, where they were known, to be husband and

[1]Aitkin to Sibley, unpublished manuscript. Sibley Papers, 1830-40.

wife, that the deceased was acknowledged by them to be their legitimate child, and that he was brought up and educated as a white man and pursued the business and habits of white men. According to the repeated instructions of the courts, this gave him the character and rights of a white man, yet the jury decided that he was not such. Both the law and the evidence were against the decision.

"The Indian since his discharge has gone down to Du Buque. He says that he is afraid to return to his own country. He states that he is not afraid of the Indians but of you; that you have said that if he should ever return you would kill him. * * * I would advise you as counsel and friend, to let the matter rest. * * * I am, very respectfully your friend. T. P. Burnett."[1]

Meanwhile the Chippewas were greatly disturbed over the case. They declared that if Che-ga-wa-skung was hung they would be revenged. They threatened Boutwell and the other missionaries, and they menaced George Bonga, the half negro, half Chippewa trader at Leech Lake, under Aitkin, who in turn was under Sibley, June 7, before the news of the Indian's acquittal had reached the country, Bonga wrote to Aitkin:

* * * Another thing, Sir, I must notify you of the talk of some of the Indians here. It is they say if Che-ga-wa-skung is hung they will set fire to my store and break my canoes. For my part, I don't think they are really in earnest in these words.[2]

Che-ga-wa-skung's case was the first criminal action for an offense committed in what is now Minnesota. It was also, (according to Dr. Neill, in Macalester College contributions, 2nd Series, p. 37, footnotes,) the first murder case under the code of Wisconsin Territory. The precedent of his acquittal, when he was clearly guilty within the law, was a bad one, since it has frequently been followed in similar cases, to the great outrage of justice.

FIRST DISTRICT COURT.

In 1847 St. Croix County was detached from Crawford county Wisconsin, and reorganized for judicial purposes, Still-

[1]Burnett to Aitkin, unpublished Ms., Sibley Papers, 1830-40.

[2]Bonga to Aitkin, unpublished Manuscript, Ibid.

water becoming the county seat. In the month of June the United States District Court for the St. Croix County district was held in John McKusick's store room. Judge Charles Dunn presided. Among the attorneys in attendance were Benjamin C. Eastman, of Platteville; Frank Dunn, Samuel J. Crawford, Moses M. Strong, of Mineral Point, Thomas P. Burnett, of Patch Grove, and Wiram Knowlton, of Prairie du Chien.

The leading incident of the term was the trial of two Chippewa Indians named Nodin (or Wind) and Ne-she-ke-o-ge-ma (or Sliding Pike) for the murder of Henry Rust, a clerk or agent for a trader named Jack Drake. The killing occurred at Drake's trading house, two miles above the mouth of Ground House River, during the preceding winter. Rust's chief staple of trade was bad whisky which in defiance of law or good policy, he sold to all Indians with muskrat skins enough to pay for it. His establishment was a great nuisance to the white settlers and the agent of much harm to the Indians.

Rust was a dead man who could tell no tales, and the only testimony concerning the killing was that furnished by the Indians. They said they were drunk on whisky Rusk had sold them and wanted more of it but he would not let them have it on account. They became infuriated and he sought to drive them off, when they turned upon him and slew him. Rev. W. T. Boutwell has left this account of the incident:[1]

> In the winter of '46 and '47 I visited the lumber camps of Kent & True and Greely & Blake. On one occasion I met Rust and asked him to come and hear me preach. He did not attend. On this day I preached at these camps. On the following night, at Greely's camp came a midnight visitor with word that Rust had been shot. About 75 men armed themselves, with all kinds of weapons and proceeded to the scene of the tragedy, removed the body of Rust and all other valuables except two barrels of whisky whose heads were knocked out. The trading house was then set on fire and totally consumed, the whisky greatly aided the combustion. I removed the body to Pokegama Mission and buried it, and forty men attended the funeral.

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[1]Macalester College Contributions 1st Series, p. 67; Folsom's "Fifty Years" pp. 47-8.

On the evening of Rust's burial the lumbermen held a meeting at Boutwell's house and resolved to visit all trading houses in the country and destroy their whisky. Elam Greely was selected as the leader of the movement and the next day he and his men visited a post conducted by Jarvis (or Gervais) on Lake Pokegama. "Out with your whisky," demanded Greely, preemptorily. Jarvis begged hard that his stock, nearly two barrels full of fiery unlicensed, ungauged, and untamed liquor, be spared. "I owe Frank Steele, for it, and I am a poor man," he protested. "Out with your whisky or we will take it out," returned Greely. At last the lumbermen agreed to pay for the stuff, the full value, with a reasonable profit in flour and pork, which was practically the equivalent of cash, and he rolled out the whisky. The heads of the barrels were knocked in, some hay was piled upon them and set on fire and soon fully sixty gallons of as hot and inspiriting "Skuday Wabo" as ever tickled the palate and dethroned the reason of a Chippewa vanished in flame and steam. The whisky of two other trading stations in the country was destroyed, and during the remainder of the winter there was peace. The next spring, however, came more whisky, and as a consequence more trouble.

There were no witnesses against the Indians, they were allowed to testify in their own behalf, and the jury promptly acquitted them. Morton S. Wilkinson, as acting district attorney, prosecuted them, and Benjamin C. Eastman and Wiram Knowlton by assignment of court defended them, the sheriff was W. H. C. Folsom, who had recently been elected and who took charge of the Indians the day he was qualified. Until court met they were confined in the guard house at Fort Snelling. In his "Fifty Years," etc (p. 47) Mr. Folsom writes:

> Ne-she-ke-o-ge-ma was the son-in-law of Nodin. They were very obedient and tractable, and I treated them kindly, for which, Nodin repeatedly told me he would show me a copper mine on Kanabec river. Nodin died not long after his trial, before he could render me this service, and the copper mine is still undiscovered

The grand jury that indicted the Indians, and the first that ever sat within Minnesota, was composed of Jonathan McKusick,

foreman; Joseph W. Furber, J. L. Taylor, William R. Brown, Charles Cavileer, John A. Ford, Hazen Mooers, C. Lymann, Calvin A. Tuttle, Hilton Doe, Elam Greely, Martin Mower, Jr., Edward Blake, W. B. Dibble, Jere Ross, James Saunders, Joseph Brown, John R. Irvine, J. W. Simpson, John Holton, Pascal Aldrich, and Albert Harris. The clerk of the court was Joseph R. Brown, and according to Moss (ante) the district attorneys, who were appointed by Judge Dunn, were Samuel J. Crawford, of Mineral Point, and Morton S. Wilkinson, of Stillwater. Soon after Harvey Wilson was appointed to succeed Brown as Clerk of the Court and he held the office for more than thirty years.

Chapter XI.

GENESIS OF THE LUMBER INDUSTRY.

IN 1822 Hardin Perkins, a Kentuckian, obtained a license from Major Taliaferro to erect a saw mill in the Chippewa Valley in what is now Wisconsin. That district was claimed by the Medewakanton Sioux-Wabasha's band—and, as agent for all the Sioux, Major Taliaferro had jurisdiction over it. Perkins had for partners J. H. Lockwood and Joseph Rolette, both then of Prairie du Chien, and who agreed to pay the Indians $1,000, a year in goods for the privilege of erecting the mill, and cutting timber. Lockwood, in his "Early Times and Events," says that the site of the mill was on a small creek running into the Menominee, about twenty miles from the confluence of the latter stream with the Chippewa.

Perkins had the mill nearly completed, when a sudden freshet in the mill stream came and swept away the dam, the mill, and everything connected therewith. The unfortunate but enterprising proprietor, with his family and employes, was forced to return to Prairie du Chien. During their stay in the wilderness the party had become very uneasy on account of the Chippewas of the country, who frequently visited the mill and acted suspiciously. The Chippewas disputed the claim of the Sioux to the country and considered Perkins and his party as trespassers.

Colonel Snelling had frequently, after Perkins and his men had begun operations, threatened to send a force and destroy the mill. The colonel alleged that Major Taliaferro, as Indian agent, had no authority to grant permission to build mills in the Indian country. This was the beginning of a conflict of

authority between the military commandant and the Indian agent and the controversy, under different circumstances, lasted for some time, to the hindrance of the development of the country.

The relations between Colonel Snelling and Taliaferro were often unfriendly because of their disputes over their respective authority.

Perkins and his partners, Rolette and Lockwood, became convinced that Colonel Snelling's position was correct and determined not to rebuild the mill. Lockwood says:

> We believe that Col. Snelling had malice enough to carry out his threat, if for no other reason than to injure Mr. Rolette, with whom he had some difficulty. We concluded not to rebuild until we could be authorized by some undisputed authority, supposing then that the Secretary of War alone had that power. Mr. Rolette and myself made up our minds to pocket the loss and let Perkins off with the loss of the few articles he had furnished and his services, which amounted to $1,500. It proved a bad speculation to all parties. The annuity we agreed to pay the Indians for the privilege of building the mill and cutting the timber having stopped during the time there was no work on the mill, they insisted upon its payment and inquired the reason why we did not go on with the work. We were obliged to tell them that their Great Father would not allow us to do so. They replied that they had given us permission, that the country was theirs and that the Great Father had no right to say anything about it.

The incident of Perkins' mill and all the circumstances connected therewith, including Colonel Snelling's denial of Agent Taliaferro's right to license mill building in the Indian country became well known. The controversy retarded mill building and lumbering in the Sioux country for some years. Lumbermen would not undertake to build mills under Taliaferro's license. Parties shipped machinery from St. Louis to Prairie du Chien with a view of establishing mills in the Chippewa country, but shipped it back upon learning the unsettled conditions. Not until 1829 did Lockwood and Rolette obtain and undisputed license, which was granted by the Secretary of War. The mill was established on the old Perkins site, commenced sawing March 1831, and in less than three months cut 100,000 feet of lumber.

For some years prior to 1840, the heavy pine forests of the St. Croix region had attracted the attention of certain enterprising men who had visited the region. In November 1836, a Mr. Pitt, from Galena with a party of laborers, came to the Falls of the St. Croix to cut pine timber in the vicinity. In some manner Mr. Pitt obtained the consent of the Chippewa owners of the country to his scheme, but the Government authorities objected and he was forced to return to Galena.

In September, 1837, at Fort Snelling, the Dodge treaty with the Chippewas, for the cession of the country between the St. Croix and the Mississippi, was made. The ink of the signatures was hardly dry on the paper when Franklin Steele, Dr. Fitch, Jeremiah Russell,—Maginnis, and eight laborers left the Fort to make claims commanding the water power at St. Croix Falls. In advance of them, however, was the alert and sagacious Joseph R. Brown, who had come over from Gray Cloud Island and established a trading house and began cutting pine on the present site of Taylor's Falls. Of his venture and operations at this time Mr. Steele has left the following account:

In September, 1837, immediately after the treaty was made ceding the St. Croix valley to the Government, accompanied by Dr. Fitch, of Bloomington, (now Muscatine) Iowa, I started from Fort Snelling in a bark canoe, accompanied by a scow loaded with tools, supplies, and laborers. We descended the Mississippi to the mouth of the St. Croix, and thence ascended the St. Croix to the Dalles. We clambored over the rocks to the Falls, where we made two large claims, covering the Falls on the east side and the approach in the Dalles. We built a log cabin at the Falls, where the upper copper-bearing trap range was afterward erected. A second log house we built in the Dalles at the head of navigation. While we were building four other parties arrived to make claims to the water power.

I found the veritable Joe Brown on the west side cutting timber and trading with the Indians, where now stands the town of Taylor's Falls. These were the first pine logs cut in the (St. Croix) Valley, and they were used mostly in building a mill.

In February, 1838, I made a trip from Fort Snelling to Snake River via St. Croix Falls, where I had a crew of men cutting logs. While I was there Peshig, an Indian chief, said: "We have no money for our land and the logs can't go." He further said (if trouble arose between the whites and the Indians over the matter) he could not con-

trol his young men and would not be responsible for their acts. The treaty was ratified, however, in time for the logs to be moved.

The following spring we descended the Mississippi River, in bark canoes, to Prairie du Chien, and went thence by steamer to St. Louis. There a copartnership was formed composed of Dr. Fitch of Muscatine, Iowa; Washington Libby, of Alton, Ill.; W. S. Hungerford and James Livingston, of St. Louis; Hill and Wm. Holcombe of Quincy, Ill., and myself. We chartered the steamer Palmyra, loaded her with materials for building a saw mill, and took with us thirty-six laborers. Plans for proceedure, rules and by-laws were adopted during the journey on the steamer. Our company was named the St. Croix Falls Lumbering Company.

Steele and Maginnis remained at the Falls with the laborers. Two cruising parties under Russell and Dr. Fitch, were sent out to search for pine lands. Jesse B. Taylor and one, Robinette, came over in the interest of B. F. Baker ("Blue Beard") a trader at Fort Snelling. The foundations of a milling industry were laid, but for some time no town was projected; none was needed, none was wanted.

In the summer of 1838 the work of improvement went bravely forward. July 15 the steamboat Palmyra, Captain oJhn Holland, from St. Louis arrived at Fort Snelling with the glad tidings that the treaties of the previous year had been ratified and that the greater part of the lower St. Croix Valley was opened to white settlement. July 17, the boat landed at the Falls, being the first steamboat to stem the current of the river above Lake St. Croix.

The Palmyra had on board Calvin A. Tuttle, L. W. Stratton and others, with the machinery for the projected mill of the St. Croix Falls Lumbering Company. In October the Gypsy came to the Fort with goods for the Chippewas under their treaty. The agent had to pay the boat $450 to transport them to the Falls of the St. Croix, the place selected for distribution instead of Fort Snelling because of the hostile state of affairs between the Chippewas and the Sioux. In passing through Lake St. Croix the boat grounded near a projected town called Stambaughville for its projector, Samuel C. Stambaugh. On the afternoon of October 26, the Gypsy landed at the Falls and discharged her cargo. The first agent of the company was Wash-

ington Libby, who left the country in the fall of 1838 and was succeeded by Jeremiah Russell. The first millwright was Calvin Tuttle, who was succeeded by L. W. Stratton. The first manager of the Company was William Holcombe.

The claim of Mr. Steele and the site of the mills of the St. Croix Falls Lumbering Company was on the east bank of the St. Croix Falls, where is now the town of St. Croix Falls, Wisconsin. Next to St. Croix Falls the village of Marine, Washington County, is the site of the earliest white settlement in the St. Croix Valley, and the location of one of the very first communities in Minnesota. The incidents of this occupation may be briefly narrated:

In September, 1838, Lewis S. Judd and David Hone, as agents for a company of speculators at Marine, Madison County, Illinois, came to the St. Croix Valley to locate a claim for future settlement. After an examination of the country they made a mill claim on the Minnesota side of the St. Croix, on the present site of Marine Mills and returned to their Illinois homes in November.

But in December following Levi W. Stratton, came down from St. Croix Falls and on the 12th stuck his claim stakes on the land which had been selected and then temporarily abandoned by Judd and Hone. He was joined by Jeremiah Russell, and the two men built a small hut or "shack," and during the winter cleared a considerable portion of the land, and cut and "ranked up" along the river bank about 25 cords of wood for the use of the steamboats which were expected to come up the river the following season. At that date, and for nearly 25 years thereafter, steamboats plying Northwestern waters used only wood for fuel. "Stone coal" had not then come into general use in the Western marine service.

April 27, 1839, the company of Marine speculators or visitors left St. Louis on the steamer Fayette for the contemplated new settlement on the St. Croix which was reached May 13. The Fayette was chartered for the voyage and carried mill machinery, farming implements, household goods, three yoke of oxen, some cows and other cattle, and also a year's supply of

provisions, etc., for the colonists. The members of the company were Orange Walker, Lewis Judd, George B. Judd, Albert Judd, Dr. Lucius Green, William B. Dibble, Asa S. Parker, Hiram Berkey, David Hone, Joseph Cotrell, and Samuel Burkleo. The wife of David Hone accompanied her husband and was for a time the only white woman in the colony. In the employ of the company were a competent millwright named McKnight and Joseph McElroy, a blacksmith.

Arriving at the site selected by Hone and Judd the colonists were astonished and indignant to find that their claim had been "jumped" by Stratton and Russell, who had made improvements upon it and were then in possession. The agents had neglected to take the necessary precautions to secure priority of ownership, and there was nothing to be done but to settle with Stratton and Russell. For $300 in cash—certainly not an exhorbitant sum—they relinquished their claim to the Illinoisians and returned to St. Croix Falls.

The claimants at once set to work and built some log cabins as temporary shelters and store houses, and when these were finished worked on the mill with such energy and persistence that it was completed in ninety days. The first log was sawed August 24. The first wheel employed to drive the muley saw was a "flutter" wheel, but this was soon replaced by an overshot wheel, with buckets. This mill sawed the first lumber in the St. Croix Valley, and during the fall and winter of 1839 and the first part of the winter of 1840 cut about 800,000 feet of lumber.

In honor of their old home the colonists named the place Marine. The settlement gradually grew to become the village of Marine Mills, which was not platted, however, until 1853 and not incorporated until in 1857. The first government of the settlement was practically communistic, although Orange Walker was the first clerk and "chief man." When any considerable expenditure was to be made or any important procedure decided upon the members assembled in council and decided the matter. The organization, if it be proper to call it an organization, was known as the Marine Lumber Company, but

there was no articles of incorporation, nor even any article of agreement. Only one book of record was kept.

After the third year the Company's operations became so profitable that the colony was self-sustaining and the individual interests became very valuable. In time the members sold out until Orange Walker and George B. Judd were the sole owners. From the first the colony was fairly prosperous. The settlers raised every year enough corn and vegetables for their own use, bought general merchandise at wholesale and conducted a store and trading house, and were never in distress or serious discomfort.

The first trial by jury within the present boundaries of Minnesota was held at Marine in the early spring of 1840, before Joseph R. Brown, justice of the peace for St. Croix County Wisconsin. Philander Prescott had made a claim at the mouth of the St. Croix, where the town of Prescott now stands, and this claim he accused Charles D. Foote, of settling upon, or "jumping." Squire Brown came up from his town of Dakota, and the case was tried at Marine, because a jury could not be obtained nearer to the *locus in quo*. The jury was composed of Samuel Burkleo, Orange Walker, Hiram Berkey, David Hone, Joseph Haskell, James S. Norris, Francis Nason, Alexander McHattie, Andrew Mackey and three others whose names have not been preserved.

The jury would make no decision without viewing the premises in controversy, and for this purpose, in company with the parties to the suit, embarked in birch bark canoes for the mouth of the river. At Stillwater, or the head of lake St. Croix, the boats had to be abandoned in consequence of ice in the lake, and the remainder of the toilsome journey was made by land. Moreover, on the return another inconvenience was encounted. Somebody had burned all the canoes and nothing but their ashes remained, so that the jurymen were forced to walk all the way from Prescott to Marine, a distance of fully forty miles, in bitter cold weather.

The case ended rather farcically. The jury, after seeing the lands in dispute and hearing the testimony, and after

all the pains and trouble they had undergone, could not agree! Whereupon, by the advice of Squire Brown, Prescott gave Foote 80 acres of the land and the contention was ended. Who paid the costs and what degree of satisfaction was enjoyed by litigants and jurymen at the results and over the experiences have not been recorded.

Chapter XII.

EARLY INDIAN ATROCITIES.

WAHNATA VISITS FORT SNELLING.

FOR many years after its establishment Fort Snelling was the scene of principal historic events recorded in the early annals of Minnesota. It was long the outpost of Northwestern civilization, the headquarters of the white man, and in effect their capital site. The nearest white settlement was at Prairie du Chien, the nearest military post Fort Crawford, on Rock Island. Incidents of more or less import occurring hundreds of miles to the northward and westward were invariably first reported here.

Soon after Colonel Snelling took command of the Post came some western Sioux with manifestations of unfriendliness. The noted Yankton chief, Wahnata "the Charger" with a considerable number of his men, came down from the Lake Traverse district with no apparent legitimate business. For two days they hovered about the barracks and finally the Chief presented himself at the main gate and said he wanted to have a friendly talk with the commander. The gate was opened and all the Indians admitted. Information of their evil designs, including an attack upon the garrison, had been received, and very soon the Chief and his followers were surrounded by armed soldiers, who were prepared for the occasion, and marched to the council hall. In the council chamber Wahnata's treatchery was fully exposed. He was searched and British medals and badges were found on him and others. All these were destroyed before the wearers'

faces and then Colonel Snelling read the astonished gang a lecture, stern and to the point. So mortified were the Indians at their discomforture that they gashed their arms and breasts grievously with their knives. They were led out of the Fort and ordered to go home as quickly as possible and not to return until they were sent for. They were allowed to take their weapons with them, for Colonel Snelling told them they were not feared, no matter how well armed they might be.

By the Colonel's prompt and vigorous action Wahnata was impressed with the character of the American soldier and always afterwards was friendly. Indeed so exemplary and influential was his conduct in after time that in Territorial days the Legislature named a county in the Lake Traverse region in his honor.

TWO EMPLOYES OF THE MISSOURI FUR COMPANY MURDERED.

On the Missouri River near Yankton September 19, 1820, some Sisseton and Wahpaton Sioux murdered two men, Isadore Poupon, a French half-breed, and Joseph F. Andrew, a Canadian, both employes of the Missouri Fur Company. Two mules, their horses, and some other articles were taken by the murderers, and the motive of the murder was robbery, which has very commonly been the object of murder among the white people.

The murder was promptly reported to Agent Taliaferro, at Fort Snelling, by General Henry Aitkinson, the commandant at Council Bluff's, who also alleged that the Sissetons of White Rock, on the Minnesota, had stolen five horses belonging to the post at the Bluffs. To compel the surrender of the murderers Agent Taliaferro notified all the Sisseton bands that no traders should visit them, nor would they be allowed to trade elsewhere, until the guilty parties were delivered at Fort Snelling.

Very soon the bands met at Big Stone Lake and went into council to determine what should be done. The case for the white authorities was presented by Colin Campbell, the mixed-

blood Sioux interpreter at Fort Snelling. The result of the council was that Gray Iron, the son of Red Chief Warrior, and another Sisseton stood up and announced that they were the guilty ones and were willing to deliver themselves to the soldiers at Fort Snelling. The aged father of Gray Iron's partner in crime then arose and said in effect: "I am an old man and soon will die anyhow. My son is a young man, and, though he is guilty, he ought to live, so that he can hunt and provide for his family. I will go in his place and, if the whites wish it, I will die for him." The council agreed to the substitution, and the next day, accompanied by some friends and relatives, Gray Iron and the old man set out for the Fort.

The party on November 12, halted within a mile of the Fort, chanted the weird and thrilling death song, blackened their faces and gashed their arms in manifestation of their sorrow and grief. Then they formed a procession and marched to the center of the parade ground. First came the warrior bearing a British flag which had been presented to his band by one of Colonel Dickson's traders, then came the murderer and the old man who had come to make blood settlement for the misdeeds of his son. The arms of the two latter were tied with buffalo-hair ropes and large oak splinters were thrust through their arms, above the elbows, as an indication for their contempt for pain and death.

A company of soldiers was drawn up on the parade ground in front of the Indians and Colonel Snelling came forward and met them. A fire was kindled and the British flag burned thereon; the murderer surrendered his British medal, and then the prisoners were turned over to Agent Taliaferro. The next day, after a characteristic and somewhat impressive leave-taking of their imprisoned friends, the other members of the party, with the exception of Red Chief Warrior set out for their village on Big Stone Lake. The Red Chief Warrior voluntarily chose to remain as a companion for his son.

As but one white man Andrew had been killed—the mixed-blood Poupon, being considered an Indian—Major Taliaferro concluded that only one of the prisoners, the murderer, should

suffer in reparation. It was decided to retain the old man as a hostage for the future good conduct of his band; he was released, however, in a few months.

By order of the Secretary of War, Gray Iron, the murderer, was sent to Jefferson Barracks, at St. Louis, for trial. The following spring, no witnesses having appeared, and it seeming that none ever would appear, against him, he was released, given a gun, a blanket, and other articles and started to walk to his village, far away to the northward. En route, on the Chariton River, in Northern Missouri, he was killed in fair fight by John Murdock (or Moredock) whose family had all been murdered by the Indians some years before, and who had sworn to kill every adult male Indian he met. The Sisseton murderer was the thirteenth victim of his unrelenting heart. Red Chief Warrior was killed in a fight with the Sacs and Foxes under Keokuk, near the site of Garden City, Blue Earth County, in 1832. The incident added thereafter to the respect entertained by the Sissetons for the white authority. In reporting the affair to the Secretary of War, Major Taliaferro wrote:

I am much indebted to Mr. Colin Campbell, the interpreter, for his great exertions in bringing the affair to a speedy issue. The delivery of the murderer is to be solely attributed to his influence over the Sussitongs.

September 12, 1821, the year following the murder of Andrew and Poupon, a party of Sissetons came down to the Fort and the leader said to Agent Taliaferro:[1]

We are glad to find your door open today, my father. The Indians, you see, are like the wolves of the prairie. When they stop at night they lie down in the open air and rise with the sun and pursue their journey. I applied for the other murderer of the white man of the Missouri, but in bringing him down the fear of being hung induced him to stab himself to death.

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[1]Minnesota Historical Society Collection, Volume 2, p. 106. The Indian's speech is reported in Taliaferro's manuscript journal, unpublished.

MURDER OF THE HESS FAMILY.

In the autumn of 1822, Charles Hess, an American, who had been in the service of the Hudson Bay Company, but latterly had lived with the Selkirk Colonists at Pembina, arrived at the Columbia Fur Company's post on Lake Traverse and told a sad tale. He had led a life full of tragic incidents and remarkable experiences. When he was a mere boy his parents and all his brothers and sisters had been murdered by the Indians in Pennsylvania. In the Northwest he had married a Chippewa (or Cree) woman and by her had several children. In September, 1822, he accepted an invitation from the authorities of the Columbia Fur Company to enter their service. With two carts and three horses, his family of eight persons, and his household effects, he started across the prairies from Pembina for Lake Traverse.

At Wild Goose River, or "Aux Outarde," (now Goose River) half way between Pembina and Traverse, while Hess was out buffalo hunting, the Cut-Head Sioux murdered all his family but his second oldest daughter, a young woman whom they carried away into captivity. Hess returned to Pembina and related his misfortune but the settlers were afraid to go with him to recover the remains of his wife and children and bring them to Pembina for proper interment. He buried them at the site of the massacre as best he could.

Hess then again started for Lake Traverse, this time alone, and reached the post after four days. McKenzie, Laidlaw, and the other officers of the Fur Company furnished him goods for the ransom of his captive daughter, and alone the grief stricken father made his way to the Indian camp where she was held as a prisoner. The Sioux knew him well as the Standing Buffalo, and not only admired his bravery, in venturing single-handed among them, but seemed to pity his distress. They readily gave him his daughter, in exchange for the ransom, and he returned with her to Lake Traverse. Later she became the wife of an Indian trader. The Indians claimed that Hess's family were

Chippewas, the hereditary enemies of the Sioux, and that under the circumstances their slaughter was justifiable.

In 1824, When Major Taliaferro went to Washington with a deputation of Indians, Hess accompanied the party as interpreter. Soon after his return to Minnesota he died, "and his bones lie on the bank of the St. Peter's River."

RESCUE OF TWO WHITE BOYS.

The wild Sioux of the border occasionally murdered other travelers from Pembina. In the spring of 1823 a number of families of Selkirk's Colony determined to go to the United States. They were mostly French-Swiss, from Neufchatel. After a toilsome journey from Pembina by way of Lake Traverse, they reached Fort Snelling in great destitution, but were relieved and aided to continue their journey southward by Colonel Snelling and the other officers of the garrison.

A little time after the departure of these people word was received from the traders that two white boys were with the Sioux in a village on the upper St. Peter's. A family named Tully, originally from Scotland had been on their way from the Selkirk settlement to Fort Snelling near the present site of Grand Forks, when a band of Sioux met them, murdered the parents and infant, and took the boys prisoners.

Colonel Snelling at once sent an officer and a detachment of soldiers to rescue the children. Of course a ransom was demanded and, after some delay, paid, and the boys were given up. An old Indian woman who had adopted the younger, was very unwilling to surrender him, and indeed the child was as unwilling to leave her. The older boy said his name was John Tully and that he was eight years old, while his brother was named Abraham[1] and was five years old. His mother he said, had an infant, but he saw the Indians dash its brains out against a tree and then they killed his father and mother. Be-

[1]Mrs. Ann Adams says that his name was Andrew. Minnesota Historical Society Collection Vol. 6, p. 90.

cause he cried they cut a piece of scalp from his head and the wound had become a running sore when he was recaptured.

Colonel Snelling took John into his family, and Major Clark took Abraham, but afterward the latter was sent to an orphan asylum in New York City, John died of lockjaw caused by a cut in the ankle from an axe.

FOUR WHITE MEN KILLED BY CHIPPEWAS AT LAKE PEPIN.

In January, 1824, John L. Findley, the first clerk of the courts of Crawford County, Wisconsin, in company with a Frenchman named Delphouse, a Canadian named Barrette, and one other employe of Jean Brunet, the trader, started from Prairie du Chien for Fort Snelling in a canoe. They were on business for Brunet, and Findley had some account books and other papers.

At Lake Pepin, near the mouth of the Chippewa, the four men landed and prepared their breakfast. Here they encountered a band of perhaps twenty Chippewas from the Lac du Flambeau district out on the war path against the Sioux. The Indians had been in hiding for several days waiting for the approach of a canoe load of their enemies from either Red Wing's or Wabasha's band.

William Warren, in his "History of the Ojibways" says that the leader of the war party was Nub-o-beence, or Little Broth, who lived on Lake Superior, near the mouth of the Ontonagon. He had lost a favorite child by sickness and nothing would assuage his grief, he said, but to go and shed the blood of his hereditary enemies. He succeeded in raising a small party from among his friends and proceeded down the Chippewa to its mouth, where they finally met Findley's party.

The Indians begged the white men for provisions, which were given them, and they then ascended the bank commanding the shore where the traders were and sat down. Suddenly Little Broth began to harangue his companions, expressing his

earnest desire to kill the white men. At first he was opposed, whereupon he became much excited and began to weep and howl violently—lamenting the death of his child, bewailing the hardships he had suffered, and finally fired his gun into the group of white men, who were eating their breakfast, and killed one. Eight of his companions instantly followed his example and leaping down to the water side soon dispatched the other members of the party and scalped all four. Then they gathered up the visible fruits of the victory, the provisions and other property of the victims, and, having won glory enough for one expedition, went no further against the Sioux, but started to return to their homes.

At Lac Courte Oreille they attempted to dance the scalp dance, but J. B. Corbin, the trader, and some of the Indians of the village took their scalps form them and drove them away. The murderers now began to realize not only the character but the probable consequence of their base action, and were vainglorious no more. They skulked quietly about their homes, or changed them for others more distant, fearing arrest and dreading the result.

Meanwhile the bodies of the murdered white men had been discovered and both up and down the river went the news. A boat load of soldiers and some volunteers was dispatched from Prairie du Chien and Jean Brunet and some of his men went along. From Fort Snelling three boat loads of soldiers came down, and there were about 200 troops at the scene of the tragedy. The trail of the murderers was taken up and followed for some distance, but the force had not come prepared for a long journey, and was compelled to return. Moreover it was folly to think of overtaking the murderers, when they had a week's start and a vast wilderness to hide in.

The matter slept for two years, or until the Cass treaty at Fond du Lac, in July, 1826, when the following clause was inserted among the treaty articles:

As the Chippewas who committed the murder upon four American citizens, 1824, upon the shores of Lake Pepin, are not present at this council * * * and as the Commissioners have been especially

instructed to demand the surrender of those persons and to state to the Chippewa tribe the consequence of suffering such a flagitious outrage to go unpunished, it is agreed that the persons guilty of the aforementioned murder shall be brought in, either to the Sault Ste. Marie, or Green Bay, as early next summer as practicable.

Truman A. Warren, the younger brother of Lyman M. Warren and the principal trader of the Lac du Flambeau department, demanded the murderers from the chiefs of his section. Mons-o-bo-douh, a young chief, called a council of his band, and ordered one of the murderers who was present, to surrender himself. The rascal's brother, a well known dangerous character, arose and threatened death to any one that should attempt to arrest the criminal. The young chief drew his knife, and laying hold of the murderer, said: "Keep quiet; you are a prisoner." Then the prisoner was bound and soon after, with two of his companions was delivered over to the whites. The leader of the murderers, Little Broth, was secured by William Halladay, a trader at Ance Bay, and all four were sent to Mackinaw and confined in a log jail. While awaiting orders from Washington for their disposition they grew tired of their imprisonment, and one bitter cold night cut out a section of one of the logs of their prison, crawled through the aperture and escaped. They were never afterward arrested, and thus the murder of Findley and his companions was never avenged.[1]

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[1]The foregoing details of the Lake Pepin murder have been chiefly derived from Warren's "History of the Ojibways" (Minn. Historical Society Collection, Vol. V. pp. 389 et seq.) Neill, pp. 386-7, gives a different version of the affair, following, Lockwood, in Wis. Hist. Coll., 149. Lockwood says that Findley first made the Chippewas drink and that the murders resulted from a quarrel. Warren was a Chippewa himself and got his information from his tribe.

Chapter XIII.

CHIPPEWA AND SIOUX FEUDS.

SIOUX ATTACK ON FLAT MOUTH'S BAND.

AT daybreak on May 28, 1827, the Ojibway Chief, Flat Mouth, of Sandy Lake, with seven of his warriors and some women and children, the entire party amounting to twenty-four arrived at Fort Snelling. They came on a begging expedition simply. At the gates the Chief asked the protection of Colonel Snelling and Agent Taliaferro, from a number of armed Sioux about the Fort. They were told that as long as they remained under the United States flag they would be secure, and were allowed to encamp in front of the Agency House, within musket shot of the walls of the Fort.

During the afternoon Tu Panka Zeze, (Yellow Black Bass) and eight other Sioux of the Little Rapids band, visited the Ojibway camp. They were cordially received and feasted on venison, corn, and sugar and then smoked the peace pipe. There was no sort of suspicion among their hosts, nor among the authorities of the Fort, that they meditated mischief.

About nine o'clock in the evening they rose and departed, shaking hands and bidding everybody good-bye. But, fifty yards from the Ojibway camp, they suddenly turned about, fired their guns into the wigwams of their entertainers, and ran off with shouts of exultation and triumph. A sentinel of the Fort called for the guard, which was soon assembled under arms. The dismayed Ojibways were soon at the gates with their vehement tales of trouble and treachery. Every Sioux shot had taken ef-

fect. Eight Ojibways were struck, one of them twice, and among them was a little girl of seven who had been pierced through both thighs with a big bullet; Surgeon McMahon could not save her. Four of the victims had been killed or mortally wounded.[1]

Flat Mouth reminded Colonel Snelling, of the promise of protection, and now the Colonel promised him vengeance. Early the next morning Captain Nathan Clark, with about a hundred soldiers, set out for Land's End, a mile or more up the Minnesota, where the murderers were supposed to be. The soldiers had just left the Fort when a party of 100 Sioux, in battle array, appeared on the prairie to the west. After some parleying the Indians turned and ran. Captain Clark pursued them and captured thirty-two at the Land's End, trading post of the Columbia Fur Company.

Colonel Snelling had the prisoners brought before the Ojibways, who identified two of them as participants in the slaughter of the previous night, and they were turned over to their enemies for summary and fatal punishment. They were led out on the prairie in front of the main gate of the Fort, and when placed just within the range of the Ojibway guns were told to run for their lives. They bounded swiftly away, but the Ojibway bullets flew faster and overtook them. Both fell gasping and were soon lifeless.

Then the savage nature of the Ojibways manifested itself. Women and children danced for joy. Dipping their fingers in the wounds they licked the blood in great delight. The men tore the scalps from the dead bodies and fairly luxuriated in the opportunity of plunging their knives into the corpses. Colonel Snelling had prevented the soldiers from witnessing this scene and had done his best to confine the excitement to the Indians.

Later in the day a deputation of Sioux head men interviewed Colonel Snelling. They said they regretted what had been done by their "foolish young men," and agreed to deliver up

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[1]"One woman was killed outright, one man mortally and another severely wounded through both ankles, and all the rest were more or less severely wounded.—Joseph Snelling, Minn. Hist. Soc. Coll. Vol. 1, p. 446.

the leaders. The next day two more of the guilty were brought in by their brethren;[1] one of them was the Yellow Black Bass. Flat Mouth's son and some other Ojibways, escorted by a detachment of soldiers, met the party near the Fort. With much solemnity the guilty were delivered.

Yellow Black Bass was entirely without fear. He firmly stripped himself of his clothing and ornaments, distributed them among his friends, and said he was ready to die. His companion was not of such stern stuff. He had a hideous hare-lip and had a bad reputation, the spirit of a coward, to the great mortification of the other Sioux, he prayed for his life, and even denied his guilt. The Yellow Black Bess shamed him saying: "You are as guilty as I am. Be proud of what you did, as I am, and die like a man."

They, too, were allowed to run for their lives. The coward was killed at the first fire; but Yellow Black Bass, though wounded, ran on and had nearly reached the goal of safety when a second bullet struck and killed him. The body of the coward now became a common object of loathing for both the Sioux and the Ojibways. Both bodies were scalped, but that of the Yellow Black Bass suffered no other mutilation, although his blood was licked by his enemies.

Colonel Snelling directed the Ojibways to remove the bloody corpses and they were thrown from the bluff, 150 feet down, and finally cast into the Mississippi. The dead Ojibways were buried near the Fort. The next day Flat Mouth and the remnant of his party were escorted by the soldiers beyond the danger of Sioux vengeance.[2]

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[1]Joseph Snelling says the two were brought in by Khu-ya-Pa. or Eagle Head. Minn. Hist. Soc. Coll., Vol. 1, p. 452.

[2]See Neill, pp. 391-4; also "Running the Gauntlet," by Joseph Snelling. Minn. Hist. Soc. Coll., Vol. 1, pp. 439-456; also "Reminiscence of Fort Snelling," by Mrs. Charlotte O. Van Cleve. Minn. Hist. Soc. Call., Vol. 3, pp. 76-81. Neill's version follows, substantially, Taliaferro's Journal, and is the most reliable. Snelling's account is largely fanciful, although he witnessed the shooting of the Sioux. Mrs. Van Cleve's paper contains many palpable errors. She, too, claims to have seen most of the affair, though she was only seven years old at the time.

After the unprovoked attack by the Sioux on Flat Mouth's band of Chippewas at Fort Snelling, in May, 1827, the hereditarly enmity between the two tribes was intensified. Numerous hostile encounters, between small parties, occurred, but few were killed. The Chippewas were constantly lurking about Lake Pepin and elsewhere on the Sioux boundaries, and having their war blood up, became insolent and threatening to everybody. Even the lives of white men who might be ascending and descending the Mississippi were endangered.

In the fall of 1830 a war party of Little Crow's Sioux, under his son, Big Thunder, who afterwards became chief, raided a Chippewa camp somewhere in Wisconsin, four days journey from Kaposia. Only four scalps were secured, and the Sioux had one man killed. The Chippewas were constantly threatening a raid on the Sioux of the Upper Minnesota, and the traders at Lac Traverse and Lac qui Parle. The Sioux often went on war paths to the Mille Lacs, threatening Sandy Lake.

It was this unhappy condition of affairs in this quarter which induced the authorities at Washington to send Henry R. Schoolcraft, then Indian Agent at Sault Ste. Marie, into the Minnesota country to make peace between the Ojibways and the Dakotas. His instructions were sent in April, 1831. July 3, he and his party reached William A. Aitkin's trading post at Sandy Lake; on the 9th they were at Bellanger's post, on Winnebegohish, where was a fine garden in which were growing tobacco, corn, peas and potatoes. The next day they entered Cass Lake, where were several fine corn fields, and where Flat Mouth's band of Chippewas were dancing over three Sioux scalps which they had recently secured.

CHIPPEWAS ATTACK THE SIOUX.

April 1, 1838, a small hunting party of Sioux left Lac qui Parle, accompanied by Rev. Gideon H. Pond, the missionary, who, as he said, went out to become more thoroughly acquainted with "the inside of Indian life." After traveling a few days in the country northeast of Lac qui Parle, the party separated. a

portion continuing the hunt and three lodges of men, women, and children remaining in camp near the forks of the Chippewa and upon a lake.

The same day the young son of the old Chippewa chief Poe-ga-ne-ge-shig or Hole-in-the-Day, with ten warriors of the Mississippi band came to the lodges. The Sioux were unacquainted with this particular son of the chief, though he was young Hole-in-the-Day, but they knew his brother, Song-uk-um-ig, or the Strong Earth. The previous fall, the senior Hole-in-the-Day had held a council with the Sioux, smoked the peace pipe, vowed eternal friendship, and promised to meet them again the next spring and make them presents for the privilege of hunting on their lands.

The Sioux of the lodges were, therefore, unsuspicious of their visitors and gave them a friendly reception. Two dogs were killed and the brother of Strong Earth and his companions were feasted to their hearts' and their stomachs' content. The reception over, the Sioux lay down to sleep. When all was silent the Chippewas arose and fell upon their entertainers with knife and tomahawk and killed three men and four women and children. The bodies were all scalped, the heads cut off, limbs severed; and then the victors robbed the tepees and decamped, taking with them, as prisoner, a young Sioux girl, of fourteen or fifteen.

Only two Sioux escaped, a woman and a boy, and they were wounded. While fleeing in the darkness the woman's babe was shot from her arms and the bullet lodged in her breast. Hiding in the darkness behind a tree she watched her enemies while they finished their bloody work. After they left she returned to the tepees, where she remained until day light; then, after the Indian manner she fastened two poles, like buggy shafts to a horse, thus making a rude litter, on which she placed the wounded boy and the bodies of her two butchered children and went in search of the hunting party, which she succeeded in joining.

The next morning, Round Wind, of the hunting party, went back to the camp for a canoe, but soon returned with the startling

news of the massacre. Round Wing and Mr. Pond went at once to the scene and found the scalped and mangled remains of their companions of the previous day. They had no tools but a hoe and a large clam shell, yet with these they scooped out a shallow pit in the earth and packed into it the bodies, limbs, and heads of the dead, covered them with earth and spread over the grave a buffalo skin tepee.[1]

Mr. Pond then returned to Lac qui Parle, a messenger bearing sorrowful tidings. Almost every family in the Indian village was in some way related to some of the slain, and there was a season of wailing and mourning and earnest threats of vengeance, upon the Chippewas. But the Chippewas said that the Chippewa River killing was no worse than the murders by the Yellow Black Bass and his Sioux companions at Fort Snelling, ten years before, save that more Sioux had been killed in the Chippewa River affair, and if their friends wanted to make even, "let them come on."[2]

In June following, Miles Vineyard, as sub-agent of the Indians, was sent from Fort Snelling to visit Hole-in-the-Day. With Peter Quinn as interpreter he held a council on an island in the Mississippi, a short distance above Little Falls. As a result of the council the Sioux girl captive that had been taken by young Hole-in-the-Day was delivered to Vineyard and Quinn and restored to her friends.

Whenever and wherever a tragic affray occurred among the Indians it was bad for the traders. The Indian hunters were afraid to go out on their avocations lest they should run afoul of a hostile war party. If they did not hunt, they would have no furs; if they had no furs, they could not pay the trader for his goods, and business interests were greatly disturbed. After the affair on the Chippewa River, the whole Indian trade of Minne-

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[1]There were seven killed, according to Pond's "Two Missionaries," written by S. W. Pond, Jr., a nephew of G. H. Pond, the missionary mentioned, but others make the number larger. Pond's statement is undoubtedly correct.

[2]Hole-in-the-Day to Aitkin, letter of Aitkin to Sibley, unpublished Ms. in Sibley Papers, 1830-40.

sota was demoralized. April 23, William A. Aitkin wrote from Swan River to Missionary Boutwell, at Sandy Lake:

> All is upside down here. These rascals have killed sixteen Sioux, and by that destroyed all the huts here. John [his brother] will give you the particulars of it. His men are going to Sandy Lake for potatoes to plant; so be so good as to give them eighteen bushels and six hoes and four bushels of rice, or five if the Leech Lake people have brought down the rice.[1]

In August a Sioux war party left Lac qui Parle to retaliate on the Chippewas for the April slaughter. On Swan River, near the Upper Mississippi, they came upon six Chippewas, five men and a woman. The men retreated, swam the Swan River, and escaped. The poor woman, about to become a mother, swam the stream with difficulty, but sank exhausted on the farther bank. The Sioux soon tomahawked and scalped her and then destroyed the unborn babe. Returning to Lac qui Parle they had a big dance over their exploit.[2]

August 2, Hole-in-the-Day, and a few other Chippewas, came to Fort Snelling on a visit. They said, to Major Plympton, the then commander of the Fort, and Major Taliaferro, the Indian agent, they were uninvited and unwelcome, and agreed not to stay long. The next evening, August 3, Rev. Samuel W. Pond, the missionary, met Major Taliaferro at Lake Harriet and informed him that a number of armed Sioux had just left for Baker's stone trading house—which stood between the Fort and Minnehaha Falls—for the purpose of attacking the Ojibways. Major Taliaferro hastened to the scene of trouble and reached it just as the first shot was fired.

In the skirmish an Ottawa of Hole-in-the-Day's party was killed and a Chippewa was wounded. Of the Sioux, the son of To-ka-ta (or One Ahead) was in the act of scalping the dead Ottawa when he was shot by Obequette, a mixed blood Chippewa from Red Lake. Major Plympton at once had the Chippewas placed under protection of the Fort, and at 9 o'clock a Sioux

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[1]Aitkin to Boutwell, unpublished Ms. Sibley Papers 1830-40.

[2]Neill p. 455; G. H. Pond to Sibley, unpublished Ms. Sibley Papers 1830-40.

who had participated in the fight was confined in the guard house as a hostage.

The next day Major Plympton and Agent Taliaferro had a council with the head men of the Sioux. In opening the talk Major Plympton said; "It is unnecessary to talk much, I have demanded the guilty; they must be brought."

The Sioux said they would bring them, and the council then broke up. At half past five the same evening they came with two others of To-ka-ta's sons who were delivered, after much ceremony, by their mother. In surrendering her boy the old woman said:

> Of seven sons three only are left, and one of them was wounded and will soon die. If you shoot these two my all is gone. I called on our head men to follow me to the Fort. I started with the prisoners singing their death song, and have delivered them to you at the gate of the Fort. Have mercy on them for their youth and folly.[1]

The dead Ottawa had been buried in the Fort graveyard, but that night the Sioux attempted to "snatch" the body, so that they could finish scalping it and "touch" it with their hatchets and knives and thus be privileged to add another scalp feather to each of their collections. The sentinel fired on the would-be resurrectionists and frightened them away.

On the evening of August 6, Major Plympton peremptorily put the Chippewas across the river and ordered them to go to their homes as fast as possible. He further advised them never to return to the Fort without previous permission and a full understanding of the matter. Then he sent for the Sioux chiefs and head men and told them that the killing of the Ottawa half-breed and the wounding of the Chippewa constituted an insult to the American flag under whose protection they were at the time; that the insult must be atoned for, but that if they would punish the two sons of To-ka-ta he would release them. To this the Sioux at once agreed.

On the 8th, the council re-assembled, delegates of chiefs being present from far and near. It was to be a great occasion.

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[1]Taliaferro's notes; Minn. Hist. Soc. Coll., Vol. 2, p. 135.

A Sioux—one of the great and proud Dakota nation— was to be punished for fighting the inveterate enemies of his tribe! Iron Cloud, chief of the Lake Pepin band, was master of ceremonies. To Major Plympton he said: "If you will bring out the prisoners, I will carry out your wishes." Lieutenant Whitehorne, the officer of the day soon brought them into the office of the Indian agent. "We will not disgrace the house of our father," said Iron Cloud; "let them be taken outside."

When the prisoners were taken to the parade ground half a dozen warriors were called. Then amid the crying and wailing of the women, the shame and sorrow of the men, and the great humiliation of everybody, the two braves were disgraced. First their blankets and then their leggings and breech cloths were cut in small pieces; then their hair was cut short; then they were whipped with long switches, and as there could be no greater punishment, the offense was expiated and the Indians quietly dispersed.[1]

For a long time the Sioux treasured their bitter memory of the tragedy on the Upper Chippewa River.[2] In the spring of 1839, when Nicollet and his party were in their country, the noted explorer assisted in preparing a letter which was sent to Hole-in-the-Day's band. The letter was written in Sioux by Eagle Help, a pupil of Missionary Riggs.[3] With a translation in French, by Nicollet; it was received by Hole-in-the-Day, though addressed to his son "Strong Earth's Brother," and eventually came into the hands of Sibley and is now among the Sibley Papers. Previously "Strong Earth's Brother"—who afterward succeeded his father in the chieftainship of the Mississippi band of Chippewas, and assumed the name of Hole-in-the-Day, and became so well known to the whites—had written two let-

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[1]See Taliaferro's Journal; also Minn. Hist. Soc. Coll., Vol. 2, pp. 134-6.

[2]The scene was near Lake Hassel, in the northern part of what is now Swift County.

[3]His Indian name was Wam-a-de O-ke-ya, which Riggs and Pond translate Eagle Help. If O-ke-ya be accented on the first syllable it is translated "help" if on the second it means "talks with." W. L. Quinn says his name was Talks with an Eagle.

ters to the Sioux. In one of these he had invited them to "come on" and get revenge, as noted. Following is a copy in translation of the letter written by Nicollet at the dictation of the Sioux:

Brother of the Strong Earth: You have written another letter; we have seen it. You say that last spring you did a bad thing, and that you reproach yourself for it. Indeed! Why should you not blame yourself for it? It was not the act of a man, but that of a woman, which you did. It is not the only one you have to reproach yourself for; there are many others. Blame yourself, then, for all of them. But you say, also, that we shall be relatives. Where are the names of the warriors? We see nothing [of them]. Yours is the only name that appears; it is not that of a chief; it is not a woman, but it is the name of a woman. This is why we shall say nothing more. (Signed) RUNNING WALKER, GRAY TAIL, TOMAHAWK SEEN DISAPPEARING, CLOUD MAN, EAGLE HELP.

This paper I wrote.—Wam-a-de-O-ke-ga. (Eagle Help.)

The letter—which has never before been published—is addressed in French, in Nicollet's hand writing; "To the Brother of the Strong Earth, or Poe-guna-Ge-shig, or Hole-in-the-Day, Swan River."

The Chippewas became apprehensive that a general attack would be made upon them by the Sioux. At Pokegama in July they got ready. They had a war dance. Then in their nervous condition, they were angry at everybody. They menaced the missionaries, shot their cattle, broke their canoes, and threatened to drive all the whites from the country. Finding John Boyce's lumbermen engaged in cutting pine trees at the mouth of Snake or Kanabec River, Little Six's band chased them away. The lumbermen fled down the St. Croix in canoes, and risked their lives in going over the falls, where their canoes were overturned and lost, but not a man was injured. A few miles below the falls they met the first steamboat—the Palmyra, Capt. Middleton[1] and were safe. The Palmyra brought the good news that the Treaty of 1837 had been ratified a month before.[2]

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[1]Acording to E. W. Durant, in Minn. Hist. Soc. Coll., Vol. X., Part H., p. 666; and Folsom in "Fifty years in the Northwest" p. 92. Neill says, p. 456, that the captain was (John?) Holland.

[2]Folsom's "Fifty years in the Northwest," p. 97.

MURDER OF NEKAY.

During the last days of the month of July, 1839, hundreds of Chippewas, men, women and children came to Fort Snelling under the false impression that, under the Treaty of 1837 they were to receive their annuities at the Fort. There was also other business to be transacted with Major Taliaferro, the Indian agent. Hole-in-the-Day and his people came down the Mississippi from the Crow Wing Country in canoes; many of the Mille Lacs came by land; others came in their canoes down the St. Croix to Stillwater where they left their boats and marched across the country to Fort Snelling.

The Mille Lacs and Hole-in-the-Day's band encamped at St. Anthony Falls, but the other Chippewas, the St. Croix people were located a mile or so north of the Fort, within a few miles of their old enemies, the Sioux of the Lake Calhoun bands, under Eagle Head, Good Road, and Bad Hail and not far from the villages of Black Dog and Little Crow, and not very far from Shakopee's. But during their stay there was peace—peace that took the forms of friendly demonstration. There were visits back and forth, and through interpreters, much converse and talking. Members of the two tribes ate together, and there were every day feasts and brotherly hospitality could go no further. The scene was most pleasing, as of brethren dwelling together in unity. Friendships were formed between these aforetime foes, and there was a love match made between the Sioux O-te-ah Manne (Appears Walking) and a pretty Chippewa girl.

Four days were spent in this pleasant experience, which was delightful, not alone to the Indians, but to Major Taliaferro and the other whites, as it presaged a season of peace and quiet which would be good for everybody. The Chippewas were disappointed that they did not receive their payments, but did not consider that their trip had been a complete failure, since they had made perfect peace with their old time enemies. On the morning of the 1st of July, after many hearty farewells had been said, they set out for their homes following the routes over which

they had come. The St. Croix people stopped at Kaposia, the village of Little Crow and spent some hours in a friendly visit.

But some of the Ojibway warriors of Hole-in-the-Day's band, at St. Anthony Falls, were not at all of the friendly disposition of their brethren. They refused to receive some of the Sioux that visited them; told them plainly that they wanted nothing to do with them, and indeed made sundry threats and menaces. The Sioux complained to Major Taliaferro of this treatment; but the agent advised them not to molest the Chippewas, unless the latter should kill some of the Sioux, in which event he gave them full permission to retaliate. Among the unfriendly spirits of Hole-in-the-Day's band were two young men who had "bad hearts" while all the peace palavering and pow-wowing had been going on. Neill states[1] and Pond corroborates him, that they were the sons of the man whom the Sioux had killed at the Fort Snelling grave-yard the previous year. On the morning when their party set out for home from St. Anthony Falls, these young fellows stole back in the darkness and ambushed themselves in the tall grass by the pathway leading from Good Road's village, on Lake Calhoun, to Lake Harriet and thence on to the Minnesota.

Just after daylight on the morning of July 2, an Indian called the Badger[2] (Nekay) a son-in-law of sub-Chief Cloud Man, and a nephew of Red Bird, the medicine man, left the Calhoun village to hunt pigeons in the woods south of Lake Harriet. His nephew, a lad of ten years, was with him. The path ran along the east side of Lake Harriet and thence to the grove. On the southeastern side, in easy range of the path, low in the tall grass and weeds, lay the Chippewas in ambush, crouching like tigers in a jungle and every whit as fierce and dangerous. When the Badger came up in the right position, they fired at the same instant and both bullets struck him, killing

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[1]P. 456. "Two Missionaries," etc., p 141; but the man killed at the graveyard was an Ottawa, who wore white men's clothes, and had lived but a short time with the Chippewas.

[2]Pond says, (in "Two Missionaries Among the Dakotas") p. 141, that his name was Hupah-choka-maza, which means Middle Iron Wing.

him instantly. In a few seconds his scalp was torn off. The boy, who lived to be David Watson, and died at Flandreau, South Dakota, a few years since, was not harmed; perchance he was so little that he was not seen in time; but at all events he escaped, apparently unobserved, and ran back to the village crying, "Kah-Kah-ton-wan! Kah-Kah-ton-wan!"[1] The news reached the mission station as soon as it came to the village, and the Pond brothers were at the side of the murdered warrior as soon as the Indians.

The body of the Badger was borne to his village, where it was lain, as it were, in state. There was a sudden and a very wild excitement. From village to village the thrilling cries were borne: "The Chippewas! The Chippewas! They have turned back from their homeward journey and have begun butchering us. Nekay is already killed. On the bank of Lake Harriet—there lies his dead body all bloody. Go and see it. But get your weapons of war ready first."

A great crowd soon gathered about the corpse. Zitkah-dan-Doota (Red Bird) the medicine man, bent over it and kissed it, though it was yet warm and bleeding. Then he removed from it the ornaments it had worn, and holding them up solemnly swore by them, thus: "I will avenge you, O, my nephew, though I too am killed." Turning to the assembled warriors he demanded that they too avenge their comrade, and they fairly yelled that they would.

In an hour or so the warriors, stripped almost as naked as Adam, but painted and armed, were all ready and eager for the war path. It was unanimously agreed to pursue the Chippewas on both of the routes they had taken. The Kaposia band of Little Crow alone was to follow after the St. Croix division. Red Bird was to lead the little army of perhaps 300 warriors that was to follow the trails of those who had gone up the Mississippi. All the warriors were, in effect, sworn into service. The oath was brief but it was strong and comprehensive. It

[1]Meaning literally "People of the Waterfalls" the Sioux name for the Chippewas.

bound him who took it to fight to the death, and to show no quarter to any living Chippewa thing. No mercy was asked and none was to be given. The babe was to be served as the grandsire and the virgin as the warrior.

The Sioux divided their forces in pursuit. The bands about Fort Snelling led by Red Bird followed Hole-in-the-Day's people and the Mille Lacs up the Mississippi. The Kaposia band struck across the country to the St. Croix to intercept the Sandy Lake people as they came up in their canoes.

On the morning of July 3 the Mississippi Chippewas were overtaken near the mouth of Rum River. They had just broken camp. Many of the warriors had gone out along the line of march as hunters to supply the rest, and the moving column was very largely composed of women and children. The guns of the few warriors left with it were loaded with bird shot. The Sioux had come upon the camp before daylight, but remained in concealment until the hunters had left. Then when the main Chippewa column began to move they followed it stealthily in the usual crawling, creeping Indian manner. They had marched all night and were greatly wearied, but their battle blood was warming and strengthening them. Red Bird gave the signal to attack by a loud and long war whoop. At once the Sioux sprang upon their unsuspecting enemies. The onset was as impetuous as it was sudden. The Chippewa women and children fled in horror and dismay; the Sioux leaped upon them and cut them down. The Chippewa sweetheart of O-te-ah-Manne recognized him and ran to him for protection. There was a struggle between love and duty. By his oath he was bound to slay her at once. By the monitions of his heart he ought to take her to his breast and save her with his strong arms. He touched her lightly with his spear and put her aside and in an instant the warrior at his heels clove her pretty head with his tomahawk.[1]

The slaughter went on. It is better not to describe the details. The Chippewa warriors fought well, but their first volleys were uneffective; what could they do with bird shot? In time

[1]See article by General Sibley written in 1849 and printed in the Pioneer Press, May 13, 1894.

they were re-enforced by the hunters on their flanks of the line of march who heard the sound of conflict and hastened to the scene. Now the killing was not all on one side. Several of the Sioux were shot. Red Bird, the leader, was on horseback. He rode upon a wounded Chippewa who was in a death agony, but still held his gun and was dismounting to finish him with a knife, when by a last effort the Ojibway shot him through the neck and the noted medicine man fell a corpse.

Now the Sioux, bearing seventy scalps began to retreat. Not through cowardice altogether, but they had killed many, enough for one morning's sport, and the fewer of their own number hurt the greater the victory. The Chippewas pursued, but finally the Sioux distanced them. Shakopee, the chief of the Prairieville band[1] covered the retreat. Many of his men were wounded and a few were killed. He called to his brethren in front to turn and fight, saying among other things: "You have poured blood upon me and now you run away and leave me."[2]

Red Bird's young son, a lad of fifteen, was mortally wounded. A Chippewa bullet tore open his abdomen, letting out the intestines. As he was being carried from the field, he said, "Where is my father? I want him to see this. I suppose it is what he wanted." On being told that his father was killed, he said nothing, and their spirits were soon together. Two days before, the boy was standing by the bloody corpse of his relative, Nekay, and was crying. His father said to him petulantly: "What are you crying for?" Then he added significantly: "Don't you know which way his murderers have gone?"[3] Because of this hint the boy had gone on the war path.

The Sioux pressed their retreat and were soon back to the shelter of Fort Snelling, very tired, very hungry, but covered all over with the most refulgent glory. The Chippewas turned back to care for their stricken ones and to chop to pieces the bodies of their enemies left on the slaughter field.

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[1]Father of the Shakopee who was chief in the outbreak of 1862 and hung at Fort Snelling in 1865.

[2]Pond's "Two Missionaries," p. 146.

[3]Ibid.

Meanwhile the Kaposia band, with detachments from some of the other Medawakantons had gone in pursuit of the St. Croix and Sandy Lake Chippewas. The Sioux route was through the present site of St. Paul and across the prairie to Stillwater, and the distance was compassed in a day, that of July 2. That night they found the Ojibways encamped in the big ravine where the penitentiary now stands. The old trader, William A. Aitkin, was in the camp, and the Sioux did nothing to hurt him, for he was a white man and had a good name among all Indians.

Just at dawn the Sioux made known their presence. They had crept up within easy gun shot and bow shot of the Chippewa camp and from the commanding bluffs poured in a sudden plunging fire upon its occupants. The first volleys were followed by a wild charge. The Chippewas retreated towards the shore of Lake St. Croix, the women and children in front, the warriors protecting the rear, fighting bravely. In a little time the Sioux attack was checked. Then after half an hour's fierce fighting they retreated, with twenty-five scalps and the Chippewas did not follow them. The fight at Rum River and that at Lake St. Croix occurred at the same hour. In both encounters the Chippewas had at least ninety-five killed; the Sioux seventeen.[1] The wounded of neither side was counted, but among the Sioux "Lame Jim," well known to the first settlers of St. Paul, lost a leg at Lake St. Croix. The Sioux estimated the number of their enemies killed by the scalps secured, but some the killed were not scalped. A large majority of the scalps were secured from the heads of women and children.

The scene at Fort Snelling when the Sioux returned from their victories was one of the wildest and fiercest exultation. Rev. Gideon H. Pond, who was present, wrote: "It seemed as if hell had emptied itself here." They paraded their bloody scalps with great ostentation, as if for the delectation of the white spectators, yelled and danced until they worked themselves into

[1]According to Pond, "Two Missionaries," p. 146 Neill, (p. 457) gives the Chippewa loss in killed at Lake St. Croix, as "forty or fifty;" and that the Sioux lost ten or fifteen killed and wounded. He says (p. 458) that from the two encounters the Sioux brought back ninety-one scalps.

a perfect frenzy of delight. The scalp dance in all the surrounding villages was kept up for a month.

There were at Fort Snelling at the time Right Reverend Bishop Mathias Loras and his assistant, the Abbe Pelamourgues, who had come up from Dubuque to look after the adherents of the Mother Church in this quarter. The gentle-souled, mild-mannered Bishop was inexpressibly shocked at the loathsome and hideous spectacle of the dancing and howling Sioux with their ghastly trophies. William L. Quinn, then a boy of eleven years, had been baptized by the good Bishop the day before the Sioux returned from their expeditions. Mr. Quinn remembers that the good Bishop was affected to tears by the sights he saw and well nigh prostrated with horror.

But what of the two young Chippewas who had caused this disaster to their people and all of the tribe generally? One of them died on the Mille Lacs reservation only a year or two since. It is now known that, after they had shot the Badger and taken his scalp, they fled eastward and made their way to the "Little Falls," now the Falls of Minnehaha. Behind the sheet of water that forms the cataract, snug under the shelving bluff, they crawled and hid themselves. Here they remained for two days and a night. All about the Falls there were brambles and brushwood and the big white blanket of the cataract completely shielded them from view. On the second night they slipped out, and soon made their way back to their village. They were greatly distressed over the reports of the big fire they had kindled, but their people forgave them because they had meant well and acted bravely from the Indian point of view.

SIOUX ATTACK ON THE POKEGAMA MISSION.

About the middle of May, 1840, Jeremiah Russell, then Government farmer for the Chippewa Indians of Lake Pokegama, sent Elam Greely and two Chippewa young men to St. Croix Falls for supplies. The day after their arrival at the Falls, a steamboat came up from St. Louis, and the Captain reported

that a Sioux war party was advancing from Kaposia, apparently against the Chippewas of the St. Croix.

At once the two young warriors who had come with Mr. Greely started for home to warn their people. They were armed and very brave, and so disregarded all suggestions that they remain at the Falls until the danger had passed. They had not gone a mile until they came upon the Sioux, who were stripped and painted and preparing for battle by cleaning guns, testing bows and bow-strings.

Behind a log, not thirty yards from the ambushed Chippewas, sat two young Sioux devil-may-care youths, reckless and off their guard. They were princes, the sons of Big Thunder, chief of the Kaposia band, and were on their first expedition against the enemy eager to fight and win their first scalp feathers.[1] Their father was in command of the expedition, and their brother, careless and reckless as they, was on picket or sentinel duty, and had allowed the two Chippewas to approach undiscovered.

The two Chippewas had but one thing to do, and that they did right speedily. In the twinkle of an eye they had both fired at point blank range, and the bullets from their rifles sped straight to the hearts of the Sioux princes, who died and made no sign. Of course the firing alarmed and roused the Sioux and the two Chippewas fled. It so happened that the brother of the slain princes, the careless sentinel who had allowed the slayers to approach and do their fatal work, shot and killed one of them, but the other escaped to Pokegama.

Great was their astonishment and fiendish the rage of the Sioux at the disastrous surprise. The bodies of the Chief's boys were dressed in gala costume (they had been half stripped, in battle garb,) and then set up against trees with their faces

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[1]Their names were Tah Mahzah Waukon, or His Spirit Iron and Dowan, or Sing; the latter was also called Left Hand. They were half brothers of Tah-O-Yah-te Doo-tah, or the Little Crow of 1862. Had they not been killed, one of them would have succeeded his father as chief. (See General Sibley's Reminiscences," in Minn. Hist. Soc. Coll. Vol. 3, pp. 251-2.)

towards the enemy's country.[1] The body of the stricken Chippewa was horribly mutilated and mangled. His scalped head wac placed in a shallow kettle and suspended in front of the two Sioux corpses. It would be gratifying to the spirits of the dead youths to see before them the bloody and scalpless head of one of their slayers.

When the bodies of the youths had thus been disposed of it was decided at once that the war party should return to Kaposia. It would be bad luck to proceed farther against their enemies; the fates were not propitious. So what had been a proud, advancing military host became a funeral procession, and sad was the news it bore to the village, and great was the grief thereat. Some weeks later the Chief returned to the site of the death of his boys, collected their bones and carried them back to Kaposia for interment, but two former members of the Kaposia band[2] who are still living, assure the compiler that the Chippewas burned the remains of the boys literally to ashes, which were scattered by the winds.

But there were other Sioux war parties in the field. The expedition against the Chippewas was composed of parties from the villages and bands of Big Thunder or Little Crow, Black Dog, Good Road, and of Lake Calhoun. The party from Kaposia, or Big Thunder's village had gone straight up the St. Croix. The second party took another route and reached the mouth of Snake River, where news of the affair at the Falls was received. In great disappointment, realizing that the Chippewas had discovered them and would be prepared for their attack the Sioux of this band turned back, as the first band had done. The third band went on to the vicinity of Pokegama and halted to wait for

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[1]"The father hastened to the dead bodies of his sons, washed the blood from the bodies, painted their faces with fresh war paint, combed their hair, placed his own gun by their side and left them in sitting posture leaning against trees."—Macalester College Contributions. First Series, p. 63. It would seem, however, that Big Thunder was not present but was back at Kaposia, when his sons were killed; although Rev. Riggs, in his History of Protestant Missions, (in Minn. Hist. Soc. Coll. Vol. 6, p. 144) says the party "was headed by Little Crow, father of Little Crow of 1862 notoriety."

[2]Mrs. A. R. McLeod and Mrs. Henry Belland, of West St. Paul.

their brethren. Finally a messager came to tell this band of the skirmish at the Falls and that bands one and two had gone back to Kaposia. Band three determined that all its trouble to make the long, hard march should not go for nothing, but that there should be a little blood-letting, and if at all practicable there should be a little scalp-taking too.

Not until Friday, May 21, when the surviving Chippewa sent with Mr. Greely returned, did the Pokegamites learn of the occurrence at the Falls of St. Croix when their brother and two of their enemies were killed. The young man killed was a son whose parents had renounced paganism and lived on the lake shore, in a comfortable log house, and he himself was considered a convert.

On the Sunday following Jeremiah Russell, the Indian farmer and his guest, William Holcombe, then of St. Croix Falls, went across the Pokegama Lake to attend religious services at the mission. En route a half-breed told them that the Sioux were coming in search of revenge. Meanwhile some Indian families had taken refuge on an island in Lake Pokegama, where they expected to be safe from an attack, if one should be made. On Monday morning some Sioux with blackened faces were seen skulking in the grass along the lake shore. The islanders at once sent out a scouting party toward the south and dispatched three men to Mille Lacs to warn their brethren there that the Sioux were out. The messengers took with them two little Chippewa girls, about twelve years of age, to bring back the canoe in which the trip was made from the island to the west shore of the lake.

Just as the canoe was about to reach the shore near the mission house, a dozen or more Sioux, in war paint and with a war whoop, sprang out from their ambush among the trees and grass and began firing. The three Chippewa youths seized their guns, leaped into the shallow water answered the yells and the shots of their enemies, then ran ashore and into the tamarack jungle and escaped, although each received two or three severe wounds.

The poor little girls, who were pupils of the mission school, and innocent as babes, jumped into the water, and in their terror and dismay waded aimlessly about, uttering piercing and piteous cries for help. The Sioux warriors were soon upon them, carried or dragged them ashore, cut their throats, scalped them, then cut off their heads and left a tomahawk sticking in each little skull. They also cut off and bore away an arm from one of the bodies. In the old Indian warfare a life was a life. It was as noble to kill a nursing infant as a warrior; the scalp of a little girl counted as much as that of a chief. A life was a life, a scalp was a scalp—one as good as another.

The fathers of the Chippewa girls heard the frightful cries of their loved ones, and burning for revenge took their guns, jumped into a canoe and paddled swiftly to the scene. They too landed near the mission house. The Sioux were retiring, but noting that two—and only two—more Chippewas had come, returned to finish them. The two Chippewas hid behind a log, near Mr. Ayer's house and when three Sioux came in range, fired and killed one and wounded another. Then twenty other Sioux came in sight and the two fathers were forced to flee. Launching their canoe one lay down in it, the other remained in the water, holding and towing the craft with one hand and swimming with the other, but keeping the canoe as a shield between himself and the bullets of the Sioux, and putting his head under water when he saw the flash of a gun. The two returned to their island unharmed. Holcombe and Russell watched with painful interest the progress of the canoe as it moved over the lake propelled by a force they could not see.

The Chippewas about the mission house were so confused by the sudden and unexpected attack that they did not act in concert. Some escaped in canoes to the island; others shut themselves up in the log cabins of the station and waited for the Sioux to attack them in these shelters, while others bravely sallied forth into the open and sought for the enemy.

The Sioux of the third party that made the attack numbered 111 warriors, and were chiefly of the Lake Calhoun bands. The plan of attack miscarried by the precipitancy of those who killed

the little girls. It had been arranged and understood that they were not to fire, or even show themselves, until their brethren in the woods, on the other side of the mission, had begun their attack. But the opportunity to kill three warriors and two little girls of their enemies and take five scalps was too tempting to be resisted, and they embraced it without hesitation. Their action was not only premature but ineffective, and defeated the main purpose of the expedition, by warning the Chippewas and giving them time to conceal and defend themselves. A desultory, unconcerted, and harmless fight was kept up for two hours by the Sioux and then they retreated. They had lost two men, killed and half a dozen wounded. The Chippewa Indian mission people, only fifteen in number, did the fighting for the Pokegamites. Their casualties were confined to the loss of the two little mission scholars and the wounding of three young messengers.[1]

After the firing had ceased and it was evident that the Sioux had withdrawn, Mr. Edmund F. Ely, the school teacher at the mission, with two of his friends crossed the lake to care for the dead bodies of his scholars. He found them mutilated as has been described, but gathered them up and brought them to the main mission, where they were given Christian burials.

The second day after the attack the Chippewas went out on the trail of their foes to reconnoiter. They found the dead bodies of two Sioux warriors and great was their joy. The heads were scalped and one head cut off, one arm amputated, and gobbets of flesh cut from the breast and thighs, and bore back in triumph to Pokegama. The head was given to one of the murdered girls' mother, who when she saw the canoes approaching with the Sioux head on a pole in the prow of the boat, waded into the water to meet them, grabbed the head as a famishing wolf would snatch a beefsteak, and carrying it ashore dashed the grinning trophy again and again on the stones, finally plac-

[1]For an interesting description of the attack on Pokegama, see sketch of Frederick Ayer, in Minn. Hist. Soc. Coll., Vol. 6, pp. 432-3. The article was evidently written by Mrs. Elizabeth T. Ayer, widow of the subject. She was a member of the mission force at Pokegama at the time of the Sioux attack.

ing it on the grave of her buried daughter. The unconverted Indians made a stew of the Sioux flesh, flavored with wild rice, and partook of it with great relish.[1]

And now there was an instance of the influence of Christianity upon the converts. One of the Indian women who had united with the mission church and baptized as Eunice, was the mother of the young man killed by the son of Little Crow IV. (or Big Thunder) at St. Croix Falls, and whose severed head was then shriveling and blackening in the wilderness. She was offered the arm of one of the dead Sioux as something that would assuage her grief and modify her sorrow. She accepted it and taking it to her son's widow, another convert, she said, "My daughter, we must not do as others are doing. We have been taught better." Then the two women wrapped the ghastly member in muslin, offered up a prayer, and then buried it deep in the ground.

THE FIGHT AT PINE COULIE.

In revenge for the Sioux raid the Chippewas meditated retalitatory action. The Sioux said the Pokegama murder was in retaliation for the assassination at Fort Snelling, and the Chippewas averred that the victims of the attack had been killed for an earlier murder by the Sioux, and the story of the feud ran back a long way.

In the late summer of 1842 about forty Chippewas of the Fond du Lac band formed a war party and started for a raid upon the Sioux. Going to Mille Lacs and carousing with their brethren there, it was determined to attack the Kaposia Sioux, or Big Thunder's band. En route some members of the St. Croix band were recruited until the entire party numbered about 100. The leader was a son of old Wiskob (Sweet) of the Fond du Lac band, who was one of the signers of the Prairie du Chien Treaty of 1825.

The party slipped down the St. Croix Valley to the head of Lake St. Croix and then marched across the country to St. Paul.

[1]Macalester Coll. Contribution, 1st series, p. 64; also Neill, p. 468.

The general situation of the Sioux was known to them, and it was concluded to strike first the few Indians and Sioux mixed bloods living on the north side of the river and then fall upon any of the Kaposia villagers, that might chance to be in the near vicinity. A dozen scalps would amply pay for all the trouble.

The Chippewas reached the vicinity of Pig's Eye at the close of a day's march from the St. Croix and went into bivouac for the night; their sleeping place was found next day. The next morning they stole cautiously forward, and by 10 o'clock were well concealed among the thick timber and brushwood in and about the mouth of the large ravine called Pine Coulie. Scouts were sent out to ascertain the exact location of the isolated Sioux. Some of these suddenly encountered Henry Sinclair, a Red River Chippewa half breed, who had come into the country from the Selkirk settlement three years before and was now an employe of the Red Rock Mission Station. Somehow they could tell he was of their race and called out to him in Chippewa: "Brother, are there any Sioux about?" Sinclair was about to reply when the pony he was riding took fright at the painted warriors, who appeared suddenly from the brush at the side of the trail, and galloped off towards the mission station as fast as it could canter.

Reaching the station a mile or so away, Sinclair at once shouted out what he had seen. There were two Sioux men at the mission, and they at once ran away to Kaposia to give the alarm. Elizabeth Williams, a half breed girl, attending school at the mission, (afterwards the wife of Thomas S. Odell) hid herself in an inner room with some other Sioux blood girls. When, a few moments later they heard the rattle of the guns indicating that the fight had commenced, like good Christian girls, as they were, they fell upon their knees in prayer; and as the battle progressed like true Dakota girls, as they were, they prayed fervently that their red brethren might win the victory.

Meanwhile the work of death had commenced and was in progress. On Pig's Eye bottom, a little distance away from the Pine Coulie, where the Chippewas lay in ambush, were the cabin and little fields of Francois Gammel, (or Gamelle) a

French-Canadian, who had come to Minnesota as a voyager in 1829, and for some years had been in the employ of the American Fur Company at Mendota. He married a Dakota woman and they had one son, David Gamelle, then a child, and afterwards a Union soldier in the Fifth Minnesota. That morning a Kaposia Indian named Kha-dayah, or Rattler, had come over to Gamelle's house, with his two wives and little son and daughter to help the Gamelles hoe their corn. Gamelle, his wife, and one of the Rattler's wives were in the field at work. The other Mrs. Rattler was taken suddenly ill and she and her husband were in the house. The three children were playing near-by.

A squad of Chippewas that had been sent out to reconnoiter crawled through the bushes outside the field and seeing the two Sioux women at work fired upon them, killing Mrs. Rattler instantly. Mrs. Gamelle was mortally wounded. Her husband lifted her in his arms and carried her into the cabin. The Chippewas rushed after him and actually scalped the dying woman in her husband's arms. Then, not knowing the Rattler and his wife were hidden in the room, they ran away, giving the scalp halloo, having the scalps of two women at their belts. Gamelle caught up his gun and shot one of them through the leg. His comrades were helping him off the field when they saw Rattler's little boy trying to hide in the brush; his little sister, Ta-tepee (Her Lodge) had already hidden herself, along with little David Gamelle. The Chippewas at once seized the little Rattler boy, scalped him and cut off his head and this then gave them another scalp. They now had three scalps of the enemy to dance and gloat over.

The attack on Gamelle's claim was a great blunder on the part of those who made it. According to the statements of the Chippewas made afterwards[1] the plan had been to crawl unobserved to the north bank of the Mississippi, opposite Kaposia, and lie in wait for the unsuspecting Sioux, as many of whom were accustomed to cross the river for various purposes, and kill and scalp in silence during the entire day. But seeing the unpro-

[1]To H. M. Rice and others.

tected, helpless Dakota woman in the corn field excited them and they seized upon the opportunity to strike without much danger of being struck in return.

The situation was more favorable for the attack of the Chippewas than they were aware of. The Sioux at Kaposia had secured a quantity of whisky and were in the various stages and degrees of a great spree. The women, as was customary under similar circumstances, had hidden the men's guns and other weapons to prevent their doing harm to one another in their drunken frenzy. Many warriors were lying in besotted stupor and others had wandered up to Mendota and Fort Snelling for more whisky.

But when the two messengers from the mission station arrived at the village and the pattering of the riffe shots at Gamelle's was heard, there was a great change. "Hkaj-ton-wan! Hkah-Hkah-ton-wan!"[1] The startling cry was enough to sober up the drunkest Dakotan, and almost in an instant well-nigh every warrior was upon his feet. "Clothed and in his right mind."

The drunken babble was changed to the shrill and inspiriting war-whoop. The guns and tomahawks were hunted up, and fifty warriors led by the head soldier of the Kaposia band, hurried to their canoes and crossed the river to meet the enemy, regardless of his strength and position. Straggling re-enforcements followed as fast as they could. The word went to Fort Snelling and the whisky-seekers returned at once to the village to help defend it. The women and children of the village yelled and screamed constantly, with the idea that the Chippewas would conclude that there was a large force yet to come upon them.

Meanwhile the Chippewas had advanced from the Pine Coulie to near the bank of the river, above the noted big Red Rock, and here, on the flat bottom land back to the foot of the bluff, the battle mainly took place. The fight raged with great spirit for several hours. The Sioux were constantly re-enforced,

[1] "People of the Falls," the Sioux name for the Chippewas.

and about noon the Chippewas began to fall back to the bluff and the Pine Coulie fighting every foot of the ground. The Sioux followed them, drove them over the bluff, through the timber, and pursued them well on the way to Stillwater. From first to last these were stirring incidents and hand-to-hand fights were numerous.

The Chippewas left the bodies of four dead on the field. Including their mortally wounded the Sioux lost ten or twelve killed and about as many more severely wounded.[1] All the dead Chippewas were scalped and some of the bodies were mutilated. A Sioux lad of fifteen named Wah-kahn-de-y-ahgah[2] a Lightening Maker, cut off the head of a wounded Chippewa that had killed his (the boy's) brother and showed the ghastly thing to Sibley when he came down. Old Betsy, and other Sioux women came over after the fight and took part in beating and mutilating the dead bodies of their enemies.

When the Chippewas first made the attack a Sioux messenger ran to Fort Snelling with the startling news. Under the prevalent military policy of the Government at the time, Major Dearborn, then in command of the Fort at once sent down detachments of Companies D, G, and H, of the First Infantry, composing the garrison, with instructions to hurry to the scene and stop the fighting. The effort was of course futile as might have been assured. The soldiers came down the Mississippi in boats to below Pickeral Lake and there disembarked and marched over the bluffs to Kaposia, arriving at the village long after the fight was over.[3]

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[1]S. W. Pond, in Minn. Hist. Socy. Coll., Vol. 3, p. 134, says the Sioux had ten men, two women and one child killed, while the Chippewas had four men killed.

Neill in his history (p. 469) says the Sioux lost thirteen warriors. In Vol. 5 of the Collections p. 493 he puts the Sioux loss at ten men and the Chippewas loss at four killed. Williams (p. 125) says the Chippewas left nine or ten dead bodies on the field and that the Sioux loss was nineteen or twenty killed and mortally wounded.

[2]Afterwards Henry St. Clair of Mendota, who made the statement to the compiler.

[3]"Thomas S. Odell, now of West St. Paul, was one of this party. I am indebted to him and his wife for many of the minor incidents of this affair."

Williams' History of St. Paul, p. 125.

LITTLE CROW V. CHIEF OF THE KAPOSIA BAND.

In the fall of 1845—probably in the month of October—Chief Little Crow IV. (or Big Thunder) of the Kaposia band, accidentally shot himself, inflicting a mortal wound from which, three days later he died. The old chieftain with a wife and two or three grandsons, set out with a cart, drawn by his yoke of oxen to gather some newly ripened corn in his field on the crest of the high hill back of Kaposia Village. His loaded gun lay in the cart, the rear end of which was open. As the vehicle ascended the steep, high hill, the weapon was sliding towards the ground and the chief caught it by the muzzle and was drawing it towards him, when it was discharged, the load entered his body. He was loaded into the cart and taken back to his lodge and the village medicine man, Surgeon George F. Turner, of Fort Snelling also came, but the old chief was past all pagan sorcery or Christian surgery. He died and before death directed that his wayward but favorite son, Tah O-yah-te Doota, (whose mother was Minne-Okha-da-vin.[1] of Wabasha's band) should be his successor.

At the time of and for some years before his father's death Tah O-yah-te Doota ("His Red Nation) was at Lac qui Parle and had been living on the Upper Minnesota among the Wahpetons of E-ahn Manne's band. He had married three daughters of the Chief, lived with and was practically a member of the band. At rare intervals he made a brief visit to Kaposia. He was in bad repute and ill favor with his father's band, because he was a Lothario in morals, a debauchee in habits, and yet was of a haughty and overbearing disposition, especially towards his half brothers. He had been forced to leave Kaposia because of threats against him by certain husbands whom he had wronged.

At Lac qui Parle the young prince had been well received by Chief E-ahn Manne became an inmate of his household, and finally his threefold son-in-law. After his marriage he seems

[1]Meaning literally the musical sound made by water running under ice.

to have abandoned his bad habits, except that he was lazy, and did not like to hunt and never went out with but one war party against the Chippewas. He had many admirers among the Wahpetons and Sissetons because of his smooth speech, agreeable manners, and rare good judgment. When the news of the death of his father reached him Tah O-yah-te Doota began preparations for assuming the chieftainship held and the titular name borne by him. The death message had been accompanied by a stern warning that the assumption would be resisted to the death point, by his half brothers and other members of the band, who regarded him as wholly unfit to be their Chief. He was also informed, however, that there were many other members of the Kaposia band that believed he was entitled to the position, because he was the heir apparent, because his father willed that he should be, and because he was no longer "foolish," but like a man, he spent the ensuing fall and winter in preparation. In the spring of 1846, just as soon as the ice was well out of the rivers, he decended the Minnesota from Lac qui Parle, with his three wives and some Wahpetons. At Shakopee's and Black Dog's villages some of the members of the bands were induced to join him, and from the mouth of the Minnesota to Kaposia he had quite a flotilla or canoes all well filled with his partisans. Messengers from Black Dog's village had hurried across the bend of the river to Kaposia, ahead of the boats, and informed the villagers that the prince was coming to claim his own.

When the Red Nation's boats drew up to the river bank at Kaposia they were met by a large and threatening crowd, with the heir apparent's two half brothers, guns in hand, to the front. "Don't land! Don't land! If you do you shall die," was the general threat. Red Nation's canoe paddled by his wives, led the fleet and was the first to touch the shore. The young Chief stepped out and advanced slowly but steadily towards the menacing throng. If you come ten steps farther, I will shoot you," called out his half brother, leveling his gun. "You are not wanted here. Go and live at Lac qui Parle. You are a Wahpeton now and no longer a Medawakanton. Go back—go back, or I will shoot."

For answer Red Nation stepped bravely forward a few steps, folded his arms upon his breast and said loudly: "Shoot then where all can see. I am not afraid and they all know it." At once the half-distracted brother, mad with jealousy and half insane with hatred fired. Red Nation stumbled backward and fell into the arms of Too-kahn-na-na Manne,[1] who had run forward to prevent the shooting.

A wailing from the wounded man's wives, a cry of alarm and excitement from the crowd, a wild tumult and commotion generally resulted. There was a revulsion in the sentiment of the people, a sympathy for their beloved old Chief's son, lying welting away in his blood. Scores of the best warriors ran forward, calling out wildly that if he died from his wounds the direst vengeance would be taken upon his murderers, and if he lived he and he alone would be Chief of the Kaposia band and bear the name of his father, Little Crow.

The bullet, fired at close range, passed through both of Red Nation's folded and interlocked arms, breaking both the fore-arm bones of one, making a flesh wound through the other, and passing into the body, where it always remained. The medicine man got busy at once, but his surgery was so poor that the fore-arm bones grew together in a great knot.[2] For many weeks while the bones were knitting, the young Chief suffered intensely, but made no sign. Frequently he walked about the village, a wife on either side and his wounded arms resting on a sort of cushion suspended about his neck.

His brothers and their partisans fled at once. Crossing the river, they went by way of White Lake and above St. Anthony's Falls to Rattling Moccasin's band near Little Rapids, on the Minnesota.[3] Here they were given temporary shelter, and then again became fugitives. In the fall of the year, when the cold winter was fast approaching, the two brothers returned to Kapo-

[1] The walking Sacred Stone; afterwards christened William Columbus, and who died at Morton in 1900.

[2] These bones are among the curios of the State Historical Society, and the deformity referred to is very prominent.

[3] Where the town of Carver now is.

sia and threw themselves upon the mercy of their brother, the Chief, now Little Crow, head of the Kaposia band, with his authority undisputed and his personal security unmenaced.

But the quality of Little Crow's mercy was finely strained. In his view his brothers had committed an unpardonable sin, and he would not forgive them, although the blood of a common father ran in his and their veins. Disregarding all pleas and intercessions in their behalf, he had them bound from head to foot. Their arms were lashed to their sides and their legs tied together. After nightfall they were carried to the bank of the river and shot to death by two of the Chief's closest friends, and then their bloody bodies were tossed into the river current and given sepulture in its rolling depths. There was general acquiescence in their fate; certainly no thought of avenging it.[1]

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[1]NOTE—The foregoing particulars of the death of Big Thunder and of the accession of his son the Red Nation, to the chieftainship have been obtained from surviving members of the old Kaposia band, including both full and mixed bloods. The information was furnished to the compiler at different times and places, but all the accounts agree in all essentials. Those who furnished the information are William Columbus, at one time head soldier of Little Crow's band; Good Thunder, a former member of the band who became a well known character at Morton, Minn.; John Wakeman, alias White Spider, alias Renk-to-ma Ska, a son of Big Thunder, (or Little Crow IV.) and a half brother of His Red Nation (or Little Crow V.) and who in his later life was well known in Minnesota; St. Clair, alias Wa-Kah-an-de-yah-gah, alias Lightning Maker, who in late life lived at Mendota and was a man of deep and fervent piety; Mrs. David Wells, daughter of the Chief E-ahn-manne and one of the wives of Red Nation; Mr. and Mrs. Wm. L. Quinn and Mrs. Henry Balland and Mrs. Nancy McLeod, of St. Paul. All of these persons testified that the facts stated were of their own personal knowledge, and all of them were of good repute for truth and veracity.

This particular statement is made necessary in view of that made by the late Gen. Henry H. Sibley of the circumstances of the death of Big Thunder. General Sibley positively states that he was present in the Chief's lodge soon after the (Big Thunder) had been mortally wounded, and that his son, the Red Nation, was also present. The General also relates with much elaboration and particularity the death-bed lecture given by the old chieftain to his wayward son, which was listened to not only by the son, but by General Sibley Dr. Turner, of Fort Snelling, and Alexander Faribault. And yet the surviving members of the old Kaposia band, so far as they have been consulted, testify, without exception, that at the time of his father's death and for a long time prior thereto Red Nation was and had been two hundred miles or more from Kaposia, and did not come to the place for months afterward; that

Soon after he became a Chief Tah O-yah-te Doota justified the words of those who said that he was no longer foolish. He exerted all his authority and influence to stop whisky drinking among the members of his band; to encourage them to become industrious, economical and thrifty; to promote morality among them, and to advance their physical and moral welfare generally. Reminded that he had been a whisky drinker and sporting character generally himself, he said: "I was only a brave, then; I am a chief now." He applied to the Sioux agent, Bruce, at Fort Snelling and asked for a missionary to establish a mission and reside in the Kaposia village. Agent Bruce at once wrote to Dr. T. S. Williamson, the devoted missionary and skilful physician, then at Lac qui Parle, asking him to comply with Little Crow's request. Dr. Williamson gladly consented and in November 1846, came to Kaposia. He established a school and soon had a number of Indian and half-breed scholars, among the latter were several girls who married white, men and a few of them are still living.

There was now a change in the moral character of Kaposia. For a year or more before the drunken Indians were almost constant menace to the little settlement at St. Paul's. Many shameful scenes were witnessed in and about the village. Very frequently bands of the Kaposia warriors came in the village, became furiously drunk and went about threatening the lives of the inhabitants. Often the people barricaded their doors or hid themselves from the half-delirious savages. "Who," says Williams, "though passibly civil when sober, were very devils when maddened by fire-water." Soon after the coming of Red Nation to the chieftaincy and the advent of the missionaries at Kaposia there was a great change in conditions for the better, both in the red man's and white man's village.

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he did not learn of his father's death for at least two weeks after his death. General Sibley's account was written twenty-seven years after Big Thunder's death and it is quite probable that he confounded the incident with another. He makes no mention whatever of the shooting of Little Crow by his brothers.

Chapter XIV.

THE "RED BIRD WAR."

IN the spring of 1827 there was trouble with certain Winnebago Indians in Southwestern Wisconsin. Incidentally this trouble concerned the whites of the Minnesota country. Added to the difficulty with the Winnebagos, the whites were menaced by certain hostile demonstrations on the part of the Lower Sioux bands.

In the fall of 1826 all the troops at Fort Crawford, at Prairie du Chien, had been moved to Fort Snelling to take part in a meditated campaign against the trespassing British traders. The troops had taken with them two Winnebagos that had been confined in Fort Crawford on a charge of murder. After the soldiers left Prairie du Chien the Indians in the vicinity became insolent and unruly.

When the Sioux were killed at Fort Snelling in retaliation for their treacherous murder of the Ojibways, the Winnebagoes received an incorrect report of the affair. They were informed that their brethren, the two Winnebago prisoners who had been taken up, were the Indians that had been killed, having been turned over to the Ojibways who had murdered and scalped them. At the time Red Bird, a Winnebago Chief, whose band lived on Black River, was on the war path against the Ojibways of northern Wisconsin, but his expedition was a failure. Returning home he was informed that two Winnebagos had been killed by the Ojibways at Fort Snelling, through the aid of the white soldiers, and thereafter Red Bird and his band and others

of their tribe were unfriendly, and even hostile, toward the whites.

In March, 1827, a French half-breed named Methode and his family of five or six persons were murdered in their camp on Painted Rock Creek, on the Iowa side of the Mississippi, twelve miles above Prairie du Chien. They had been engaged in sugar making. The camp was plundered and the dead bodies cremated. The murder was attributed to Red Bird and his band.[1]

June 26, 1827 Red Bird, who often dressed in a red coat and called himself English, went with two of his men, to the house of Judge J. H. Lockwood, at Prairie du Chien, Mr. Lockwood was absent, but Mrs. Lockwood was at home. The Indians loaded their guns, entered Mrs. Lockwood's bed room and seemed bent on serious mischief. They were induced to leave by Captain Duncan Graham, who had been forty years in the country and was known as an Englishman, though he was by birth a Scotchman.

From Lockwood's Red Bird and his companions, We-Kaw and Chic-hon-sic, went to McNair's Coulie, at the lower end of the Prairie du Chien, and two miles from the village. Here lived Rigeste Gagnier, a man of mulatto and French extraction. His wife was of French and Sioux blood, and they had two children. With the family lived an old discharged American soldier named Solomon Lipcap.

The Indians shot and killed Gagnier and Lipcap, and We-Kaw tried to shoot Mrs. Gagnier, but she wrested his gun from him, and taking her three year old boy with her succeeded in escaping to the village and giving the alarm. Returning with some citizens she found her year old infant scalped and its throat cut, but still alive, and indeed the child lived to become a grandmother.[2]

The Lower Sioux heard of the killing of their four brethren at Fort Snelling, and were greatly incensed against the whites

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[1]Lockwood. (Wis. Hist. Coll., Vol. 2, p. 156) thought the murders were by a Fox war party searching for Sioux.

[2]Lockwood, ibid. p. 162.

for their connection with the affair. About the 10th of June two keel boats from St. Louis, commanded by Captain Allen Lindsay passed Prairie du Chien en route for Fort Snelling, with military stores. When they reached Wabasha's Prairie (near the present site of Winona) the crews were ordered to come ashore by the Sioux. Complying, they were surrounded by a mob of angry warriors who jumped aboard the boats with sundry hostile demonstrations. The boatmen were unarmed but nervy. The captain of the fleet (of two keelboats) defied the savages and ordered them ashore. He even threw or kicked two or three into the river, and the remainder left hurriedly. The boats then resumed their voyage. At Red Wing's village, and also at Little Crow's, the Indians showed signs of unfriendliness, although they did not molest the boats.

After the boats had unloaded their cargoes at Fort Snelling and were ready to start on their return trip to St. Louis, Colonel Snelling armed the crews—thirty-two men in all, some of whom were half-breeds, with muskets, and gave them a barrel of cartridges. When in descending the river, they reached Wabasha's village, both boats were lashed together and the crews stood to arms. The Indians were, however, engaged in dancing, and not in a fighting mood. They contented themselves with certain insulting gestures and demonstrations against the boats, but did not offer to fire a shot. A mile or so below the village the boats ran upon a sand-bar, and it was necessary to cut the lashings. One boat was soon floated and proceeded an hour or more in advance of the other. This boat was commanded by a Sac half-breed named Beauchamp.

Near the mouth of the Bad Ax the half-breeds of the crew discovered armed Indians on the Wisconsin shore near which the channel was carrying the boat, and saw that they were Winnebagoes, although the noted Black Hawk and other Sacs were with them. As they came near the bank the Winnebagoes gave the war whoop and at point blank range fired on the boat, killing instantly two of the crew. Their canoes were moored nearby and leaping into them they attempted to board the boat. The steersman abandoned his rudder and ran under the covered deck.

Two of the Indians succeeded in getting on deck, guns in hand. One of them fired below decks, but was soon shot and fell into the river. The other pluckily took the steering oar and endeavored to land the boat on an island. He too was soon shot by Captain Beauchamp, and fell upon the deck. In a few seconds Captain Beauchamp, the gallant half-breed was killed. Meanwhile the other Indians were pouring in a hot fire which was as hotly returned by the boatmen. The boat was fast drifting on a sand-bar, near the shore directly in front of the Indians' main position. Doubtless all of the crew would have perished but for the brave conduct of an old soldier named Jack Manderville, commonly called "Saucy Jack," who had fought in many naval engagements, on the lakes and the ocean, with the British during the War of 1812. He sprang overboard in the shallow water and single handed[1] pushed the boat into deep water and then climbed aboard, the Indian bullets pattering about him all the while. Luckily he was not hit and assuming command of the boat after the death of Captain Beauchamp, he brought the boat safely to Prairie du Chien.

At sunset on the 27th the leading boat arrived at Prairie du Chien with the dead Indian, the two dead boatmen, and four wounded. The next day the other boat, called the Oliver H. Perry, under Captain Lindsay arrived uninjured, although the Indians had fired a few shots into it at the site of the attack on the first boat. On the second boat, as a passenger for Prairie du Chien, was Joseph Snelling, son of the Commander of Fort Snelling. The first boat arrived the day after the murder of Gagnier and Lipcap.[2]

The arrival of the battle-scarred keel-boat at Prairie du Chien intensified among the villagers the Indian alarm which had for some days been prevalent. Fort Crawford and its two

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[1]Though Neill (p. 396) says he had four companions.

[2]See also Wis. Hist. Soc. Coll., Vol. 2, p. 163 Ex-Gov. John Reynolds, of Illinois, in his "Life and Times," p. 126, says that in this fight "Saucy Jack," with a piece of a setting pole shod with iron, repelled several Indians who tried to board the keel boat. As fast as they came within his reach he knocked them senseless into the river with his pike pole.

block houses were repaired and put into a state of defense, and the men and boys organized into improvised military companies, Joseph Snelling was placed in command of one of the block houses.

Two mounted messengers, (or "expresses" John S. Loyer and Duncan Graham, were sent to Fort Snelling for help, and a general alarm of war spread throughout the country. A company of volunteers arrived at Prairie du Chien in a few days, and in a remarkable short time Colonel Snelling came down with four companies of the Fifth regiment. Governor Cass chanced to be in the country, at Butte des Morts, intending to hold a treaty, but went at once to get help for Prairie du Chien. It was he who sent up the Galena volunteers. Thence he went to St. Louis and General Atkinson soon arrived from Jefferson Barracks with a strong detachment of regulars. Another detachment under Major Whistler came from Green Bay to the portage of the Fox and Wisconsin Rivers.

The Winnebagoes now concluded that they did not want to fight the whites. A council decided that Red Bird, Chic-hon-sic, and We-Kaw, the murderers of Gagnier and Lipcap, should surrender themselves, to Major Whistler and they did so.[1] The prisoners were handed over to General Atkinson, who had arrived at the portage, and then conveyed to Prairie du Chien, shackled, and thrown into prison. Not long afterward Red Bird died in the jail, and, as reported, his death was caused by a broken heart over his misfortunes. The troops from Fort Snelling soon returned and the "Red Bird War" was over. We-Kaw, alias Wa-ni-ga, and Chic-hon-sic were found guilty of murder in the United States Circuit Court at Prairie du Chien, in August, 1828, and sentenced to death.

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[1]But Lockwood says they surrendered at Prairie du Chien, Wis., Hist. Soc. Coll., Vol. 2, p. 167. Neill's account (p. 308) as above, is correct.

Chapter XV.

SIOUX IN THE BLACK HAWK WAR.

THE Minnesota Sioux of Wabasha's band took a considerable part, on the side of the whites, in the Black Hawk War of 1832. During the troublous times of the summer of that year trading operation in the Minnesota country were temporarily suspended at some posts, and no goods were brought up from St. Louis until the war was over.

Early in the spring of 1832 the noted Sac war chief, Black Hawk,[1] with a considerable number of his nation, came up from Iowa and landed on the Illinois side of the Mississippi above Rock Island. Over the leading canoe waved the British flag. Black Hawk announced that he came to recover the former lands of his people on "the beautiful Rock River." The settlers of that region and the surrounding country were alarmed at his threats and his operations, and the United States military authorities declared war against him. General Henry Atkinson assumed command of the troops in the threatened district.

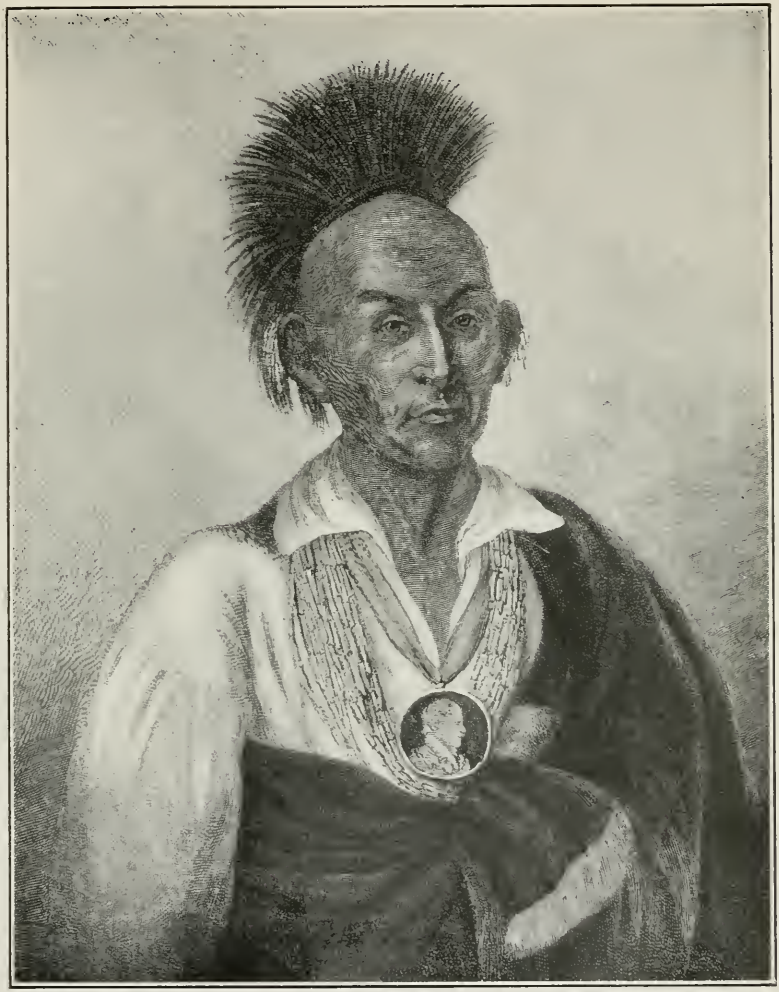
In the latter part of May, General Atkinson sent an "express" or messenger from Dixon, Illinois, to the agent, General Joseph M. Street at Prairie du Chien, directing him to procure the services of the Minnesota Sioux as allies of the United States in the operations against Black Hawk and the other hostile Sacs. General Street sent John Marsh the former Fort Snelling school teacher, and who spoke Sioux like a native, and Thomas P.

[1]He was but a sub chief, not the head dignitary of the Sacs. He was, however, the leading war chief, the commanding general of his tribe's forces in time of war.

Burnett, then a sub-Indian agent, on the mission. Early in the month of May, General Street had reported to Governor William Clark at St. Louis, the threatening conduct of the Sacs and Foxes. He also wrote:

> The Sioux Chief, Wabashaw and a considerable number of his tribe are now here. A small party of them who came across the country from Red Cedar (in Iowa) state that within their country north of the line of the purchase of last summer, they came upon a war party of the Sauks and Foxes. They followed the trail leading out of the country for several days, and, from the signs remaining at their deserted camps, they have no doubt that three or more of the Sioux have been murdered by the Sauks and Foxes. Among other appearances that confirmed them in this belief was a painted buffalo robe, such as no Indians in this quarter but the Sioux make or use, cut in pieces at one of their camps. They pursued the trail until they came upon their camp, a few miles north of the old Red Cedar fort; but finding them double their own number, did not make an attack. The Sioux say they have made peace and promised to keep it, and will not in any case be the aggressors. Col. Morgan informed me, two days since, that he had sent down to the Sauks and Foxes to send up ten, or twelve of their men to have a talk with him. They were expected here yesterday, but have not yet arrived. The Sioux are waiting their arrival, and are ready to meet them as friends or enemies. When they were informed that the Foxes were coming, they put their arms in order. They say that if the Sauks and Foxes come and deport themselves peaceably, they will not molest them; but if they see any hostile manifestations they will strike them. My own opinion is, that if the Sauks and Foxes have had a war party out against the Sioux, they will not come here upon Colonel Morgan's invitation, knowing that the Sioux always visit this place about this season in considerable numbers.

The Sioux awaited the arrival of their former enemies for several days, May 21, they came. They numbered fifteen and all were Foxes from the bands at the Dubuque mines. There was not a Sac among them. On the part of the Indians the Black Hawk War was fought almost wholly by the Sacs. Although they were confederated with the Foxes, so that the two tribes were commonly spoken of as if they constituted a corporation under the firm name of Sacs and Foxes, yet, when the senior partners went to war on Black Hawk's account, the Foxes refused to join then, save in a few instances, where they had in-



BLACK HAWK

Indiana University

termarried and were living with the Sacs. The Foxes were led along the peace road mainly by the powerful influence of their head chief, Keokuk, who was always the friend of the whites.

At the "talk" between the Sioux and the Foxes, in the presence of Colonel Morgan, who was commander of the post at Prairie du Chien, both tribes expressed a desire to continue the peace which had been made between them by the treaty of the previous year. The Foxes denied that a war party from their tribe had gone against the Sioux since the treaty. They said they wished to be at peace, and would do no act of hostility against either of their red brethren or the whites; but they wished it understood that they spoke only for themselves, the Dubuque Foxes; they could not answer for their brethren elsewhere. The two tribes "smoked and danced together and parted in apparent friendship and harmony."

At the conclusion of the talk, Wabasha and his men returned to their village. May 30, Marsh and Burnett, with eight men, left Prairie du Chien in a boat for Wabasha's village. En route at La Crosse, they stopped at a Winnebago village and inquired if the warriors were willing to join General Atkinson's army, then on Rock River, and fight the Sacs and Foxes. The chief Winneshiek, opposed the proposition, but the most of his warriors agreed to accompany the commissioners on their return to Prairie du Chien.

June 1, Marsh and Burnett reached Wabasha's Prairie and village. The Sioux were apparently anxious and fully prepared to go to war against their old enemies. In six days Marsh and Burnett returned to Prairie du Chien with eighty Sioux and twenty Winnebago warriors as allies of the whites. The number of Sioux was ultimately increased to about one hundred. May 24, General Joseph M. Street, Indian Agent at Prairie du Chien, in a letter to Agent Taliaferro at Fort Snelling giving an account of the defeat of "Stillman's Run" and other news of the war wrote:

> I have paid sixty-seven of your Sioux; the remainder, thirty-one will be here, it is said, in a few days. I found it impossible to get all at one time. The first who came with whom was Wabashaw; the

French Crow, and most of the principal men wanted me to give them the money without division and they would divide it. When convinced that I would not do that they received their portions with much complaining as to the quantity and they say inequality of the division.

Many Indians, too, are of different families from the lists, if they can be believed. Some who have a family marked to them are single persons, and many marked single persons on the list have families. I assured them it could not now be altered, and that they in all probability had been the cause of the error by giving their census erroneously; that I would endeavor to take a new census of them previously to another payment if they were placed within my agency. This satisfied them and they, in a set speech by Wabasha and another by the French Crow desired I would say to you and to their Great Father that they wanted to be placed under my agency; or in other words, "we want you for our father; and we want you to pay us our money, to take the management of our shop, and of our agricultural establishment." They also complained of the want of oxen, etc. I briefly answered that I would let you know their wishes, and—if their G. F. directed—I would be their agent, etc.

I apprehend they are a discontented people and hard to please. It was not until I put up the money and told them I w'd return it to you that they agreed to receive it in any other way than in a lump to divide at home. When they found me resolved they agreed to receive whatever I would pay them.

We are all well. If there are any cranberries to be had, send me a keg. I am with great respect Your mo. abt. St.

JOS. M. STREET,
U. S. Ind. Agt.

P. S. There are forty-eight Sioux here who will leave today. J. M. S.[1]

The details of the Black Hawk War cannot here be given. The Indians were soon driven, with loss, from the country east of the Mississippi, although considering their weak condition, they fought well. In the action at "Stillman's Run" the Indians were completely victorious. Black Hawk was not only a brave fighter, but a skilful one. He was encumbered with the women and children of his band and other impediments, which greatly interfered with his movements.

At last, on the 31st of July Black Hawk and his people, warriors, women and children, reached the east bank of the Mis-

[1]Street to Taliaferro; unpublished ms. Taliaferro Letters No. 168.

sissippi at the mouth of the Bad Ax.[1] Many of them were sick and all were weary and half famished.[2] The white forces, in hard and unrelenting pursuit, were on their heels, and the next day leaped upon them. The Indians fought as best they could, but were soon overpowered and driven into the river. A number of them succeeded in crossing to the west bank by the aid of their ponies. Others, mostly warriors, took refuge on an island in the river but were all killed save one, who escaped by swimming to the main shore. A writer in the *Galena Gazette* of August 6[3] said:

> When the Indians were driven to the bank of the Mississippi some hundreds [?] of men, women and children plunged into the river in an effort to escape by diving and swimming, very few, however, escaped our sharp-shooters.

The steamboat Warrior, Captain Joseph Throckmorton, subsequently well known in Minnesota, had been converted into a war vessel and the day previous to the battle came up from Prairie du Chien and prevented the vanguard of the Indians from crossing the river. The Warrior had two pieces of cannon and a platoon of regulars under Lieutenant James W. Kingsbury. Captain Throckmorton wrote: "We had sixteen regulars, five riflemen and twenty of ourselves." The Indians raised a white flag, but the whites thought the signal was a decoy and "let slip six-pounder loaded with canister followed by a severe fire of musketry." The boat fought the Indians "for an hour, or more, until our wood began to fail, and night coming on we left and went back to the Prairie" [du Chien]. This little fight cost them twenty-three killed, and of course a great many wound-

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[1]The Mouth of Bad Ax is in Vernon County, Wis., almost directly opposite to the eastern terminus of the boundary between Iowa and Minnesota.

[2]General Charles Bracken, of Wisconsin, who took part in the pursuit of Black Hawk and the battle of the Bad Ax, says, (in Wis. Hist. Coll., Vol. 2, p. 43) that the Indian retreat was most disastrous to them. "In the pursuit from the Wisconsin to the Bad Ax it was evident that the Indians were greatly distressed by starvation and sickness; numbers of dead warriors, women and children were found along the trail. Their principal subsistance seemed to be roots and the bark of trees; where they killed a horse for food there was no vestige of the animal left but the hair."

[3]See also Smith's History of Wisconsin, Vol. 3, p. 232.

ed. "The next morning the Warrior returned in time to take part in the battle. The first shot from the Warrior laid out three." In both encounters the boat had none killed and but one wounded.

Among the Indians killed on the Wisconsin shore was a young mother, who at the time was holding her child in her arms. Lieutenant Robert Anderson (afterward of Fort Sumter fame) described this incident in the Galenian (newspaper) and his account was reprinted in Niles's Register for November 3, 1832. Lieutenant Anderson wrote:

> When our troops charged the enemy in their defiles near the bank of the Mississippi, men, women, and children were soon mixed together in such a manner as to render it difficult to kill one and save the other. A young squaw of about nineteen stood in the grass at a short distance from our line, holding her little girl in her arms, about four years old. While thus, standing, apparently unconcerned, a ball struck the right arm of the child above the elbow and shattered the bone, passing into the breast of its young mother, who instantly fell to the ground. She fell upon the child and confined it to the ground also. During the rest of the battle this child was heard to groan and call for relief, but none had come to offer it, when, however, the Indians had retreated from the spot, and the battle had nearly finished, Lieutenant Anderson (the writer) of the United States army, went to the spot and took from under the dead mother her wounded daughter and brought it to the place we had selected for surgical aid. It was soon ascertained that its arm must come off, and the operation was performed without drawing a tear or a shriek. The child was eating a piece of hard biscuit during the operation. It was brought to Prairie du Chien and we learn that it has nearly recovered. This was among the many scenes calculated to draw forth a sympathetic tear for human misery.

The wounded child was given into the care of an Indian woman, a prisoner, and subsequently was taken to Rock Island and delivered up to its tribe.

Wabasha's Sioux, under his head soldiers, The Bow (called by the French L'Arc and often corrupted to Lark), were placed in charge of Colonel W. S. Hamilton and sent against the Sacs. They reached the army just after Colonel Dodge had encountered and practically exterminated a remnant of, Black Hawk's band on the Pecatonica, Hastening to the battlefield they

fell upon the dead bodies of their old-time enemies, mutilated them with savage ferocity and then danced the scalp dance in great glee and with shouts of triumph, as if they themselves had achieved the victory.

But our Minnesota Sioux, when brought into perilous proximity with the savage Sacs, manifested no desire to fight. They did not ask to be sent to the front, and—Oh, the shame of it!—after a fortnight of inconspicuous service, while on the march under Colonel Hamilton to join General Atkinson's army, then in the presence of Black Hawk's force, they suddenly turned and fled. They did not stop until they reached Prairie du Chien, then, June 22, they had a "talk" with General Street, the Indian agent, who berated them soundly for their cowardly conduct.

The truth was the Sioux always dreaded the Sacs and Foxes. The latter Indians hated the Sioux, and sought every opportunity to injure them. Often war parties came up from central Iowa and attacked the Medawakanton and Wahpakoota Sioux family in their villages on the Cannon River and elsewhere in Southern Minnesota. While the Sioux were unsuspecting and off their guard, the Sacs and Foxes would dash up the streets of a village, rush into the tepees, and the first intimation many poor Sioux had of the presence of an enemy was a shot from his rifle or a blow from his tomahawk. These raiders from Iowa were savage and merciless fighters, and very adroit ones too. Invariably they succeeded in returning home without any severe loss to themselves, but bearing away the scalps and property of their enemies.

In General Street's talk to the deserting Sioux he did not mince words. As reported in the *Galena Gazette* of July 11, 1832.

> I wish to know why you have left the army * * * I said to you; "Go and be revenged of the murderers of your friends if you wish it. If you desire revenge you have permission to take it. I will furnish you arms, ammunition, and provisions, and here is the man [Colonel Hamilton[1]] who is sent to conduct you to the enemy. Follow

[1]Colonel W. S. Hamilton was a son of the celebrated Alexander Hamilton.

him and he will lead you to the murderers of the Winnebagoes, the Menomonees, and the Sioux.

That is what I said to you.

With one accord you desired to go to war, and appeared bent on full satisfaction for your wrongs and injuries. You raised the war song. Colonel Hamilton led you into the country infested by Sacs and Foxes, and when in striking distance of your enemy you mangled the dead bodies of eleven Sacs killed by the warriors of your Great Father the day before you arrived. Then you turned about and came back to this place. You have neither seen, nor made any effort to see the Sacs and Foxes. * * * Answer me truly—Why have you returned and what do you mean to do?

The Bow, who was half Sioux and half Winnebago, replied, making trivial excuses and evincing a dread of the Sacs.

The Sacs and Foxes have now begun to kill white people. They have killed a great many white men and are still killing them; more than a hundred have been killed already. The man you sent with us did not use us well, and we turned and came back to you. We saw a man with much beard [General Henry Dodge] who had killed eleven Sacs. He is a brave man and there are brave men along with him, but they are very few * * * Our feet are sore and our moccasins are worn out. We want to see our families. We have come thus far and I think we shall continue on home. Six of our people have remained with the little man, [Colonel Hamilton] and some went by Galena for our canoes.

General Street replied that the Bow did not tell the truth and that their conduct had been most despicable.

You have not hearts to look at the Indians who murdered your families and friends. Go home to your squaws and hoe corn, you are not fit to go to war. Your Great Father gives you some flour and pork to eat; you have no stomachs for war. Go home to your squaws and hoe corn, and never again trouble your Great Father with your anxiety to go to war. Take your canoes and clear yourselves.

The next day, June 23, General Street, still convinced that Wabasha's warriors were fitted only to become corn field hands, wrote to Taliaferro:

* * * All the Sioux but six have returned to this place (Prairie du Chien) without being in an action or attempting to strike a blow. They got to General Dodge on the Pecatonica the day after he had killed the eleven Indians and went to the ground and scalped and mangled the dead Indians and are now dancing with their scalps. They are on their way home and their courage has wholly evaporated.

SEAT OF BLACK HAWK WAR—1832.

Of all the Indian forces sent down only the Menominees and six Sioux remain. The Menominees say they are determined to be revenged on the Sacs and Foxes personally before they quit. I have no doubt they will make a brave stand, but the Sioux are cowardly and ought to go home and hoe corn.[1]

Notwithstanding their previous bad conduct. Generals Atkinson and Dodge called upon the Sioux for help in concluding the operations against Black Hawk. The day before the battle of the Bad Ax Captain Throckmorton and his steamboat, the Warrior, were sent up to Wabasha's Village to inform them that the Sacs were approaching the Mississippi and directing him to come down at once. It was on the return trip when a Sioux scout informed Captain Throckmorton that Black Hawk and his band were at the mouth of the Bad Ax, and the boat immediately prepared for action and was soon engaged.

Just after the Warrior had left the battle ground for Prairie du Chien with Lieutenant Colonel Zachary Taylor and General Atkinson on board, Wabasha and his warriors came up on the west bank of the river. General Atkinson immediately dispatched them in pursuit of the miserable Sacs that had escaped from the battle and were now wending their way into the Iowa country. They were soon overtaken by their old time enemies, and the scenes that ensued were painfully sickening. Nearly all their powder had been spoiled in swimming the river and they were too weak to fight successfully with the tomahawk and war club. The Sioux fell upon them and slaughtered them at will. Neopope (Soup) Black Hawk's chief military adviser, was made prisoner and his life spared because of his rank. He was delivered at Prairie du Chien and his captors rewarded. Only an insignificant remnant of the fugitive band succeeded in escaping the hatchets and scalping knives of the Sioux.[2]

Among those of Wabasha's band who participated in the pursuit of the Sacs was a half-breed, named Jo. Jack Frazer.

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[1]Street to Taliaferro; unpublished Ms. Taliaferro Letters No. 171.

[2]"So that out of the band of one thousand Indians who had crossed the Mississippi in April, not more than one hundred and fifty, all told, lived to tell the tragic story of the Black Hawk War. Thwaites' "Story of Wisconsin," p. 190.

His father was a Scotchman and his mother a Sioux. The fighting blood of the Caledonian and the Dakota mingled in his veins and he was a desperate antagonist. He became well known in Minnesota, and in the great Outbreak of 1862 fought bravely for the whites at Fort Ridgely and Birch Coulie. In the chase of Black Hawk's Sacs seven scalps were secured by Frazer's knife.

Black Hawk, in his "Autobiography" severely denounced the whites for sending the Sioux in pursuit of his wretched and forlorn people.

> I went to the agent at Prairie du Chien and gave myself up. On my arrival there. I found to my sorrow, that a large body of Sioux had pursued and killed a number of our women and children, who had got safely across the Mississippi. The whites ought not to have permitted such conduct, and none but cowards would ever have been guilty of such cruelty—a habit which has always been practiced on our nation by the Sioux.

A few days after the Bad Ax battle Black Hawk was captured by two Winnebagoes who were in the service of the whites and had been trailing the noted warrior. The captors were Dekorah and Chaeter, but in his address to General Street the latter said: "Near the Dalles, on the Wisconsin I took Black Hawk; no one did it but me." After he had been a prisoner for some years, during which time he had paraded throughout a great deal of the country, Black Hawk was released and sent to his people in Iowa. The noted old warrior, whose life from boyhood had been one of strife and conflict, of adventure and incident, but never of real usefulness to anybody, died on the Des Moines River in Southeastern Iowa, October 3, 1838, at the age of seventy-one. His grave was robbed and his skeleton was finally burned in 1855, by the destruction of the Historical Museum at Burlington, Iowa.

Chapter XVI.

CIVILIZATION AMONGST THE DAKOTAS.

DAKOTA ALPHABET.

WHEN the missionaries first came to the Minnesota country the language of the great Dakota nation existed only in sounds. It had never been written. During the year before the arrival of Dr. Riggs the system of notation had been in the main determined upon, although a number of changes therein were subsequently made. The Pond brothers were the Cadmuses of the Dakotas. They constructed the first alphabet and taught the first Dakota to read and write in his own language. Samuel W. Pond tells the story:

> In the spring of 1835, while my brother and I lived at Lake Calhoun, a young Dakota named Mazy-kda-manne (Rattling Iron That Walks, though Pond calls him "Walking Bell-Ringer) came to our house and asked us whether or not we thought Dakotas could learn to read. There was then nothing printed in the Dakota langauge, and we had, only a short time before, arranged an alphabet in which it could be written. We could furnish him with lessons only by writing with a pen. It was not much trouble to teach him, and he learned rapidly both to read and write. He was soon able to write letters to us which we could understand very well, so far as we then were acquainted with the language.

Form the time of their arrival in the country the Pond brothers considered the acquaintance of the Dakota language of the greatest importance, and they improved every opportunity, and made every possible effort to learn it. To aid in learning

new words they wrote them down, but experienced difficulty in expressing certain sounds. The English writers would not in many cases meet the emergencies. With the vowel sounds there was no difficulty, for in the Dakota language there are but five vowel sounds and they are common to the English; but with the consonants it was different since there are sounds in the Dakota language which no English letter, or combination of letters, can be made to express with exactness.

But these Connecticut Yankees could be trusted to invent a way out of their trouble. There are certain letters of the English alphabet not needed in Dakota, and the brothers selected some of them and gave them new names and powers. For example, they made the letter c reprecent the English sound of ch, and x represent sh. When the new alphabet was completed it was a model in its way. Each letter had but one sound; no two letters could be used to express the same sound. There is but one way of spelling a word in Sioux; if one knows how to pronounce a Dakota word, he can easily spell it, for he knows just what letters to use. This simplicity in arrangement enabled the Indians to learn to read and write very readily.

As first constructed the following are the letters and sounds of the Pond alphabet:

A sounds as a in far.
B sounds as b in but.
C sounds as ch in cheat.
D sounds as d in deed.
E sounds as a in say.
G low guttural.
H sounds as h in he.
I sounds as e in see.
J sounds as si in osier.
K sounds as k in Key.
M sounds as m in me.
N sounds as n in neat.
O sounds as o in go.
P sounds as p in pea.
Q indescribable.
R high guttural.
S sounds as s in sit.
T sounds as t in tear.
U sounds as oo in moon.
W sounds as w in wet.
X sounds as sh in sharp.
Y sounds as y in young.
Z sounds as z in zeal.

In 1852, when the Sioux Dictionary was published, the alphabet had been changed so that c had two sounds, viz: with an accent mark above, the sound of ch; with an accent above

and a period below, an emphatic sound of ch. G had two sounds, the original hard sound with a dot above it the sound of chai. R had been eliminated and substituted by h with a dot above, giving the sound of Kha, of hkh; thus Minnehaha is pronounced M'ne-hkha-hkha, with the accent on the second syllable. Q was eliminated and its place taken by k with a dot underneath, giving the emphatic sound of k simple, difficult to describe. N had two sounds, the simple, and with the final stem elongated and curved at its terminal, the nasal sound of the French n in bon or English n in drink. From a misconception and mispronunciation of the nasal n and a's in Mankato, which should be pronounced Mahnk-kah-toe, the name is now pronounced Man-kay-toe. The proper spelling is, however, Ma-ka-to, (meaning blue earth) according to the Pond alphabet and the Riggs dictionary.[1] X was eliminated and substituted by S with an accent mark. Thus Wa-ba-sha, which had been spelled Wabaxa, was now spelled Wabasa. There were few other unimportant changes, but upon the whole the alphabet was, and is, the same as the Pond brothers originally designed.

Prior to the time when the Pond brothers made their alphabet some efforts had been made by Lieutenant E. A. Ogden and other officers of the Fort Snelling garrison to write the Dakota language by the English letters, and a collection of 400 or 500 words had been made. Rev. J. D. Stevens had written several hundred words, and Dr. Williamson had gathered a thousand; so that in 1837, when Dr. Riggs began the preliminary work of compiling the Sioux Dictionary and Grammar, which was finally printed in 1852, he had over 2,000 Dakota words to start with. Some public spirited citizens, headed by Sibley and Ramsey, made a considerable subscription in aid of the work, but it was finally printed and published by the Smithsonian Institute at Washington.

But prior to the printing of the Dictionary other publications in Dakota had been made by the use of the Pond alphabet. Joseph Renville had translated for Dr. Williamson all of the

[1]Ma-ka (pronounced Mah-kah, with the accent on the second syllabel, means earth and also skunk).

Gospel of St. Mark from his French Bible into Sioux, and the translation had been printed, and, "this was the first printing of any of the Bible in the Dakota language." In 1841-42 Dr. Williamson and Rev. Riggs, by the aid of Joseph Renvillè (who seems to have been a master of Sioux language) had prepared a hymn book and some school books and the Book of Genesis, the Acts of the Apostles, the Book of Revelation all of Paul's Epistles, and one-third of the Psalms. The Gospel of St. John and a number of the Psalms in translation were in manuscript ready to be printed.

After the missionaries were able to make translations from the Bible and print other books and pamphlets in Sioux, their work was greatly facilitated. The Indians manifested considerable interest in learning to read and write their language. There was a novelty about the work which was attractive to many, and the idea that the accomplishment might be of utility influenced others to learn it. The more barbaric or conservative indignantly refused the invitation to learn and looked with scorn and sorrow upon those of their brethren who accepted it.

The first Indian at Lac qui Parle to learn to read and write was Wam-dee-O-Kee-ya, or Eagle Help,[1] a warrior of some distinction. Riggs called him " a good specimen of a war prophet and war leader among the Dakotas." He was the head of a family and in middle age, but no school boy was ever more eager to learn his lesson than Eagle Help. His name was appropriate, for he was a great help to the missionaries in their study of Dakota and in the translation. He was every ready for service, but demanded good pay for it. Yet he did not readily become a convert to Christianity. His wife embraced the new religion, but he clung to his faith in the Dakota gods.

As a war prophet Eagle Help claimed that he could readily get into communication with the Indian spirit world. On one occasion he organized a war party against the Ojibways. The missionaries argued and entreated him to forego his sanguinary

[1]So translated by Riggs and the Ponds. O-kee-ya has two meanings If accented on the first syllable it means "help;" if on the second, "talks to."

purpose, but their words were unheeded. They said they would pray that the war party might not be successful, and Mr. Huggins refused to grind corn for it. This angered Eagle Help and his warriors, and they killed and ate two of the mission cows. When they returned from a long and toilsome tramp without having seen a Chippewa, they attributed their misfortune to the Christian prayers, and, as a sort of solace in their trouble, they killed and ate another cow.[1]

A form of opposition to the Lac qui Parle missionaries was organized, or at least became formidable, and was carried on to such an extent that it amounted to persecution. The pagan Indians annoyed and harrassed their Christian kins-people and grieved the missionaries in every possible way. They killed the mission cattle, shot and cracked the mission church bell, terrorized the Indian children that were attending school, stripping off and cutting to pieces their blankets, threatening them in various ways. The missionaries were patient and long suffering. Dr. Williamson was a member of a hot-blooded, high-spirited South Carolina family, but he endured the greatest insults in silence. Rev. Riggs was meek and gentle-hearted, and when the Lac qui Parle Indian ruffians ruined his church bell and yelled about the little church in an effort to stop the worship, he only "cried before us all," says Nancy McClure. And yet notwithstanding the persecution, some Dakota men continued to learn to read and write, and a few of them received the seeds of gospel which in time germinated.

DAKOTA WOMEN TAUGHT HABITS OF CIVILIZATION.

When Dr. Williamson returned from a visit to Ohio he brought to Lac qui Parle a Miss Fanny Huggins, who became the wife of Jonas Pettijohn, the teacher and helper at the station. A new industry was started among the Indians. Joseph Renville, the trader and interpreter, had a flock of sheep. They

[1]"Forty Years with the Sioux," pp. 54-5; also, Riggs to Sibley unpublished letter, July 12, 1839; Sibley Papers, 1830-40.

were descended from a drove lost some years before by a mission contractor, who while on his way from Barnesville, Missouri to Fort Snelling became bewildered on the great trackless prairies of Minnesota and finally wandered up into the Lake Traverse region. Here he abandoned his herds of cattle and sheep and with the herdsmen managed to reach Fort Snelling.

It was determined to teach the Dakota women to spin, knit, and weave. Several spinning wheels, both for flax and wool were imported and two or three looms were made by Mr. Huggins. He also raised a considerable crop of flax, and showed the Indians how to prepare it for manufacture. Then, having sheared Mr. Renville's sheep, he and Miss Fanny taught the Indian women to card wool, to dress flax, to spin yarn, to knit stockings, and to weave cloth for short gowns, skirts and blankets. Quite a number of the Dakota women made articles of wearing apparel for their own use and others. But in a few years this infant industry languished. The flax failed as a crop, the buffaloes were scarce for one or two seasons, and finally Renville and his retainers and the Indians ate up the sheep, and there was no more manufacturing at Lac qui Parle.

One effort by the mission women to improve the state of their red sisters was that made to teach them to wash. It had been their custom to put on a garment and wear it without removal until it could be worn no longer. They were as ignorant of the blessings of the gospel of soap as of the gospel of salvation. They did not know that St. Paul said: "Cleanliness is next to godliness," and that therefore soap may be considered, as Henry Ward Beecher thought, a means of grace. Mrs. Riggs was the principal teacher of washing. At first it was impossible to induce any but the very humblest of the Dakota women to become scholars; but in time the accomplishment became fashionable, then popular and its acquisition did very much for the elevation of the Indian women.

In 1843 the American Board authorized Dr. Williamson to commence a new station which was to be nearer civilization than Lac qui Parle, and in June of that year the new post was established at Traverse des Sioux, on the Minnesota, about seventy miles southwest from Fort Snelling.

Chapter XVII.

BRINGING IN THE WINNEBAGOES.

DURING the summer of 1848 began the advent of the Winnebago Indians into Minnesota from their former reservation in the Turkey River country, in Northeastern Iowa, or on what was called the old "neutral ground."

The Winnebagoes, like the other Indian tribes generally, were never adequately paid for the lands they sold to the Government. By the treaty of 1829 they sold the large and valuable mining country south of Wisconsin and the Portage for $30,000 in goods in hand, and $18,000, 3,000 pounds of tobacco and fifty barrels of salt to be paid annually for thirty years. Even at the time the land was worth several millions. In 1832 they ceded all their lands south and east of the Wisconsin and Fox Rivers of Green Bay, in exchange for the "neutral ground," on the Upper Iowa and Turkey Rivers, in Northeastern Iowa. In return the Government was to pay them an annuity of $10,000 for twenty-seven years, maintain a boarding school for them at Prairie du Chien for the same period, at a cost not exceeding $3,000 a year, and allow them $3,700 anuually for other purposes.

A portion of the tribe removed to the neutral ground in 1833-34; they were followed by the remainder who, the previous year, made a treaty at Washington, by the terms of which they finally sold all of their lands east of the Mississippi. In return for this cession the Government made a fairly liberal compensation, viz: It made a further cession of the neutral lands to them; paid $200,000 in payment of their debts; $100,000 to their mixed blood relatives; $7,000 to defray their expenses

of removal; $40,000 for provisions, including a grist mill, breaking and fencing ground, and incidental expenses; $50,000 in hand in horses and goods; and further promised to pay them annually, for twenty-two years, $20,000 in goods, $10,000 in provisions, and $5,000 to be expended in schools for children and in teaching agriculture.

Except for the Red Bird War in 1827 and two or three other incidents of the kind, though of a less serious character, the Winnebagoes had been uniformly friendly towards the United States following the War of 1812. They had, however, refused to adopt any of the habits of civilization save the weaknesses and vices, and these they embraced enthusiastically. They would not attend the schools, and in 1849, when they were in Minnesota, and had been supplied with schools and teachers for fifteen years, Governor Ramsey wrote about them:

> The Winnebagoes are held in the West to be among the most degraded and most besotted of the tribes. Though there is much to sustain this opinion, yet I cannot but think they are judged rather harshly; for I know that the Indians on the Long Prairie, where they are removed from whisky, are as moral as Indians generally are. * * * In education among the Winnebagoes there is no great advancement. There are not now in the tribe (numbering several hundred) ten Indians who can read, write, and speak the English language—that being the language in which they have been taught. The schools have been maintained among them for about fifteen years.[1]

For some time the authorities had deemed it expedient to change the location of these Indians to a locality more remote from white men. They were becoming more and more demoralized and resented efforts made to improve their physical and moral condition. The Indian Department determined to remove them farther up the Mississippi, where they would not come so frequently in contact with unprincipled white men and have a country full of resources, and where, with a little exertion, and the aid of the Government, they could become not only self-supporting but civilized and prosperous.

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[1]Ramsey's report as Indian Commissioner. Senate Docs. Vol. 2, 1st Sess. 31 Congress 1849-50. pp. 1029-1030.

By the terms of a treaty made at Washington, October 13, 1846 the Winnebagoes, for a consideration *inter alia* of $190,000, agreed to leave Iowa and remove to the Upper Mississippi, and locate upon a reservation of about 900,000 acres which had been selected for them by Henry M. Rice, their former trader at Fort Atkinson, Iowa. In a treaty made at Fond du Lac, August 2, 1847, Mr. Rice and Isaac A. Verplank had purchased from the Chippewas of the Mississippi and of Lake Superior the site of the new reservation especially for the occupancy and use of the Winnebagoes, paying therefor $30,000 in specie. The Indians' new home comprised 898,000 acres, of fine fertile soil, with plenty of good timber and water, and its boundaries were thus described:

> Beginning at the junction of the Crow Wing and Mississippi Rivers; thence up the Crow Wing River to the junction of that river with the Long Prairie River; thence up the Long Prairie River to the boundary line between the Sioux and Chippewa Indians; thence southerly along the said boundary line to a lake at the head of Long Prairie River; thence, in a direct line, to the source of the Watab River; thence down the Watab to the Mississippi River; thence up the Mississippi to the place of beginning.[1]

The reservation, therefore, included a part of Morrison, Todd, and Stearns Counties. The Winnebago Agent, J. E. Fletcher, said of the reservation:

> The country for the Winnebagoes was judiciously selected. It is the best location that could be procured for them west of the Mississippi. River. A large proportion of the country is forest, which abounds in game and valuable furs, and the numerous lakes and rivers are well stored with excellent fish. The Winnebagoes are well pleased and satisfied with it.
>
> By the treaty of October, 1846, which was made at Washington, the Winnebagoes ceded and sold to the United States all of their interest or claim in any lands within the United States, wherever situated. In return they were to receive $190,000 in money—$150,000 for their lands and $40,000 for their hunting privileges—and "a tract of country north of the St. Peter's and west of the Mississippi Rivers of not less than 8,000 acres, which shall be suitable to their habits, wants and wishes."

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[1]Indian Treaties.

When the Winnebagoes were notified, in the spring of 1848, that their new home was ready for them, they agreed at once to remove. The sum of $20,000 had been apportioned out of the $190,000 to be paid them if they removed themselves. Of course they wanted the money in advance, but this was refused them by their agent of removal, Henry M. Rice, who had long lived among them as their trader, and was particularly and peculiarly connected with them. However, he gave to some of them provisions to last until they reached their destination and agreed to see to it that nobody starved on the trip. It was then arranged that the tribe should move in two parties, one, in charge of Mr. Rice, in boats and canoes up the Mississippi, and the other, under the direction of their agent, Major J. E. Fletcher, by land.

Meanwhile there had been a growing dissatisfaction and indications of trouble with the Indians over the removal. They had not visited the new reservation and knew of it only through the representations of their agent, Mr. Rice, who had selected it. Information came down from Minnesota that the reservation would be a mere buffer between the Chippewas and Sioux, who were constantly at war, and that the Winnebagoes were bound to suffer from the hostile raids and incursions of both tribes. The country too was said to be unattractive, not very good hunting and fishing ground, and altogether without attractions and special advantages.

During the summer of the previous year there had been an epidemic of bilious fever and cholera morbus among the lower Minnesota Sioux. The latter disease was so severe in its character as to be called Asiatic cholera by some persons that spread the news. Then the whooping cough attacked the children, and was unusually fatal. Altogether that season there died in the Medawakanton band—which in April numbered 2,135 people—about 150 persons, according to the list furnished by Agent Murphy. In Black Dog's Village thirteen persons died; in Good Road's, twenty-nine; in Little Crow's, ten; in Red Wing's, 23; in Shakopee's, thirty-seven, and in the Lake Calhoun Village, (Cloud Man's) thirty-six, making a total of one hundred and forty-

eight. Strangely but fortunately enough, Wabasha's big village (at Winona) escaped the scourge of bilious fever and cholera, but intermittent fever, or fever and ague, was generally prevalent in the band, although very rarely proving fatal. The fever and ague was among the other Medawakanton bands, and this was a most extraordinary thing in this pure and salubrious climate, uniformly so free from malarial conditions.

When, in the spring of 1848, the Winnebagoes were notified that their new home was ready for them they decided at once to remove. Arrangements were made to remove them speedily and in comfort and at a moderate expense—being $40,000, the amount they were to be paid if they removed themselves, and furnished their own supplies enroute—and doubtless all would have gone well but for a malicious and very harmful interference on the part of certain Minnesota traders.

Henry M. Rice was the contractor for the removal of the Indians. He belonged to a trading organization which was the most formidable rival of the American Fur Company in this quarter. Sibley was the chief agent of the latter company here, and connected with him was Dr. Charles W. Borup, a prominent and peculiar character of early days. Dr. Borup greatly disliked Mr. Rice and always sought to thwart his plans and injure him in every way. Learning that Mr. Rice had secured the contract for the removal of the Winnebagoes, Dr. Borup sent agents among them who spread dissatisfaction and disturbance which resulted in demoralizing and scattering one-half of the tribe. When they heard of the deaths from cholera morbus among the Sioux and other discouraging reports, almost a panic occurred. They were fairly ready to start on their journey when Dr. Borup's emissaries reached them. They were induced to believe that they would necessarily become involved in the wars between the Chippewas and the Sioux, and perhaps be exterminated, and fear seized upon many who remembered the pleasant and peaceful days they had spent in the Turkey River country.

At once they began to desert. Some went to their ancient hunting grounds in Wisconsin. About 100 made their way to Southeastern Nebraska and joined the Otoes. Others announced

that they would remain where they were. On June 6, when the appointed time came to start, the Indians delayed and dallied. Agent Fletcher became impatient, and hoping to hurry them, had their baggage placed in the wagons, but it was immediately thrown out by the Indians. So turbulent did they become that Mr. Fletcher was alarmed and sent to Captain John Parker, then in command at Fort Atkinson[1] for troops, while the Indians began to clean their guns, mold bullets, and get ready for fight. The soldiers hurried out and remained in line, with loaded pistols and drawn sabers, all day and night and until noon of the following day. The Indians too carried loaded guns and went about scowling and menacing. The next day, the provisions having been withheld, an irresistable appeal was made to their stomachs. Fresh beef was issued in bountiful rations and soon a great calm ensued.

The canoe party under Mr. Rice had been gone for some hours and the land party agreed to move provided it could join the river detachment at Wabasha's Prairie. This was agreed to and on the evening of the 8th of June the land contingent set out on the march. Contrary to the usage, the women and children, for the most part, rode in wagons or on horseback; the majority of the men walked.

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[1]Fort Atkinson was then garrisoned by a company of Iowa volunteers that had taken the place of regulars that had been sent to the Mexican War. The fort was built in 1840.

Its first garrison was Company F, Fifth U. S. Infantry, commanded by Captain Isaac Lyon. For some years the commander was Captain E. V. Sumner, who had superintended the building of the Fort, and who subsequently, during the Civil War, became a distinguished Union General. In 1845, while he was still in command, the garrison consisted of a company of infantry and one of the dragoons. In 1846 Captain Sumner and the garrison were ordered to Mexico—war with that country being in progress—and the fort was then garrisoned by two companies of Iowa volunteers, one of the infantry under Captain James M. Morgan, of Burlington, and one of cavalry (called dragoons) under Captain John Parker, of Dubuque. Captain Morgan was in command of the Fort, but in 1847 his company was mustered out of service, and he was succeeded by Captain Parker, who had charge until after the removal of the Winnebagoes, when he and his dragoons were discharged from service. Captain Wiram Knowlton, and his Crawford County Volunteers from Prairie du Chien, were detailed to assist Captain Parker. (See Sparks' History of Winneshiek Co., Iowa. (1877 pp. 75-6; also Alexander's History (1882) p. 317).

They arrived at Wabasha's Prairie without special incident and found awaiting their coming the canoe division, under Mr. Rice, and the company of volunteers, that had engaged to accompany him. Almost the entire tribe except Chief Little Hill and his band, instead of encamping on the river bank, near the camp of the whites, pitched their wigwams under the bluffs across a creek and a slough from the white encampment.

Chief Wabasha, of the Sioux village, now interfered and made mischief. He persuaded the Winnebagoes to purchase from him and his band enough of the fine and beautiful prairie near by to make homes for themselves and become allies and friends of his people. Pleased with the situation and having the Sioux lands sold to them on credit, the Winnebagoes bought from Wabasha the present site of Winona and much other adjoining land, and earnestly declared that they would not go a step farther to the northward. Wabasha and other Sioux united with them and encouraged them in their determination, and soon the Winnebagoes were making violent speeches, preparing for battle, and fairly in a frenzy.

Realizing the critical nature of the situation, Mr. Rice boarded a steamboat that chanced to be at the Prairie Landing, hastened to Fort Snelling and applied for troops to relieve the situation. Captain Seth Eastman and a company of regular infantry and a considerable delegation of Minnesota River Sioux were hurried down on a steamer to the scene of trouble. The Sioux trained and "coached" by Mr. Rice, said they had come to welcome the Winnebagoes, and that they would be pleased to have them in place of the Chippewas for neighbors and friends. The Sioux also said they knew the country which had been selected for the Winnebagoes, and that it was a fine land and an ideal hunting and fishing ground.

Under apprehension of serious trouble, a number of military companies had been sent to Wabasha's Prairie. A company of Wisconsin volunteers from Fort Crawford, at Prairie du Chien, the mounted men from Fort Atkinson, the infantry from Fort Snelling, and about sixty armed teamsters—the whole under command of Captain Eastman—were arrayed under arms, oppo-

site the Winnebago camp. The Indians in front but across the slough numbered about 1,200. After a little parleying the next day was set for a council between the Minnesota River Sioux and the Winnebagoes. That night the whites kept out a strong picket force and sent spies into the Indian camp. The next day, June 12, was a typically beautiful Minnesota summer day. Everything was lovely and peaceful and the natural situation may have had a beneficial effect upon the preceding threatening condition of affairs. "Fair weather bringeth fair words and good temper," says Lord Bacon, "but a cloudy and stormcast sky often causes ill humors and pettish tempers." The council was to take place in the military camp at 10 A. M. Early in the morning the troops were formed in battle order. The teamsters, under George Culver, of St. Paul, were formed near the wagons on the right flank of the white forces; the infantry, directly under Captain Eastman, with two six-pound cannons heavily loaded with grape, were in the center; the Iowa dragoons, directly under Captain John Parker, were on the left. If you want to fight, Messrs. Winnebagoes, we are ready!

About 10 o'clock the Indians, nearly all on horseback and painted and decked with all their war ornaments, rode around the head of the slough toward the camp. A mile from the council ground they halted and sent forward to the white line of battle, a deputation. The leader, on a white horse, rode forward and called out in broken English: "What do these shining guns mean? We thought we were coming to a council, not to a fight." Captain Eastman replied: "You can have whatever you want. If you want to fight we are prepared; if you want a council, you will not be molested." The Indians declared they wanted only a council, but asked permission to ride around the white men's camp. Permission was given and they rode around the council ground, and then returned half a mile towards their camp.

Suddenly they halted and wheeled about. Quickly forming into a column, twelve abreast and some hundred strong, they started on a wild fierce charge against the whites, yelling and shouting, and many sounding the war whoop. The whites prepared for the worst. The cannons were ready and the gunners

stood with lighted port fires, the soldiers only awaiting the word of command to fire. It was a thrilling and perilous moment. But when the Indian cavalry was a hundred feet from the line of the whites, it broke away to the right and left and the riders set up a wild shout of laughter. They had only been "bluffing" the whites, to test their nerve and courage.

During the remainder of the day the Indians were in council. Wabasha took part in the deliberations and urged the Winnebagoes to remain where they were and make for themselves homes on his prairie.

In recounting this incident to Dr. Bunnell, Chief Winneshiek, a former head chief of the Winnebagoes, said:

> When we reached the village of Wapasha he pitied us. He offered us a home—a home for many of his relatives, for in the past there had been many marriages between our tribes. We knew that the white people who were moving us would not like to have us stay at the Wapasha village, but Wapasha said that the land was his to do with as he pleased, and as it was near to our old homes in Wisconsin and the graves of our fathers we tried to stay in peace, but could not. Our young men would have fought to stay, but we were wiser than they, and now that neither the son of Chief Wapasha, nor any chief can longer oppose the white man when they want our lands.[1]

The sympathy and friendship for the Winnebagoes manifested by Wabasha was somewhat remarkable. A year before some of his band had attacked and killed in cold blood a number of their Winnebago neighbors, and Wabasha had for some time shielded and protected the murderers. Mr. Rice and Agent Fletcher brought the matter to the attention of the Indian Department. The Winnebagoes were much exasperated, and a strong band of Iowa Pottawattamies offered to go with them on a war party against the Sioux, the common enemies of both tribes and the implacable foes of all Iowa Indians, Sacs, Foxes, Iowas, Pottawattamies and other tribes.

It was with considerable difficulty that General Fletcher, Mr. Rice and Captain Morgan, the then commandant at Fort Atkinson, prevented the Winnebagoes from taking their revenge. The

[1]Bunnell's "History of Winona and Its Environs," p. 341.

Indian Department gave orders that their Sioux murderers should be punished and that Agent Bruce, at Fort Snelling, should withhold the Sioux annunities until they made full and ample satisfaction. At once Wabasha's entire band manifested sorrow and contrition for the outrage, and the Chief and his head men voluntarily came forward to make reparation. They acknowledged their obligation and expressed their regret in most humble terms. Then they agreed to pay from their forthcoming annunities $4,000 to the grief stricken relatives of the Winnebagoes who had been killed, the money to be paid in four annual payments. The arrangement was entirely satisfactory to both parties. The Sioux murderers did not have to be hung, and the money solaced the sad hearts of the sorrowing Winnebagoes and wiped dry their weeping eyes. White men are not the only people whose griefs can be assuaged and their injuries atoned for by cash payments.

The Sioux of the Northwest had been very pugnacious that year. The Medawakantons had attacked the Winnebagoes; the Yanktons had attacked the Omahas and the Otoes in Nebraska; the Brules had attacked the "friendly Pawnees north of the Platte," and the savage Dakotas were out on the war path generally. The Otoes returned the first attack made on them, the Yanktons made a rejoinder, and their last assault was so severe that the poor Otoes retired to the Missouri river and hallooed to their Great Father for help.

But now Wabasha and his band were enthusiastic in their friendship for the Winnebagoes, and the latter returned the sentiment. "Don't go to that country which has been selected for you by the whites," said Wabasha to the Winnebago councilmen. "It is a poor country and the Chippewas will be constantly annoying you; stay with us, on their beautiful spot, where is every thing you want."[1] All that day the council lasted, the Winnebagoes, sustained by Wabasha and his people, remaining firm in their determination to remain on the beautiful prairie, which their friends, the Sioux, had sold them.

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[1]History of Winneshiek County, Iowa.

While the council was in session and the excitement, though hardly manifest, was intense, an Indian and a soldier began to quarrel and were about to fight. Each had a gun and prepared to use it. Everybody realized that a single shot from either the white or the red warrior would be followed by a battle. Mr. Rice and others ran between the would-be combatants, disarmed them and led them away, and the particular danger passed.

Chief Little Hill and his small band of Winnebagoes had never sympathized with or shared the sentiments of the others of the tribe nor participated in the revolt. They were willing to go to the new reservation. Under Agent Fletcher they marched aboard a steamboat and were soon on their way up the river, followed by the hootings and howlings of their dissatisfied tribesmen.

Matters at the Prairie were now in charge of Mr. Rice. The sudden departure of Little Hill and his band disconcerted the rebellious Indians. Mr. Rice. E. A. C. Hatch, S. B. Lowry, George Culver and others argued with them to accept the inevitable, and at last they wavered and nearly all of them gave in.

One-Eyed Dekora, (or Decorah) Little Dekora, Winneshiek, Big Canoe, Good Thunder, and Carimona, all prominent chiefs, announced that they and their bands would no longer resist. The One-Eyed Decorah and a warrior named Chaetar were the captors of Black Hawk and both were friendly to the whites at all times and under all circumstances. When the steamboat returned 1,700 Indians were ready to embark, and they were taken up as rapidly as possible.

But not all of the Indians could be induced to go. Chief Dandy and his band returned to their old homes on the Black River, in Wisconsin. It was too dangerous to try to stop them. Another band marched southwestward through Iowa and joined the Otoes in Nebraska. It was too hazardous to attempt to stop *them*. The Dandy and his band remained in Wisconsin until in the summer of 1874, when, at great expense, they were removed to the Winnebago reservation in Nebraska. They remained on their Nebraska hunting grounds but a few months, when at their own expense and with great joy they returned

again to their old-time homes on Black River, which they loved so well and vowed never to leave again.

As soon as a considerable number of the Winnebagoes had left on the steamboats Mr. Rice took a lieutenant and two soldiers and arrested Wabasha and sent him to prison to Fort Snelling on a charge of inciting and instigating sedition and mutiny among the Winnebagoes. The chief simply laughed when he was arrested. He said to his warriors, who were inclined to resist his arrest, that it was all right and that he would soon be at home again. After being detained at Fort Snelling a fortnight or so and having been lectured soundly and warned that he must "be good" thereafter, he was returned to his village.

About July 1, the Winnebagoes began to move again towards their new homes. The journey was somewhat long and very tedious and harassing. Above Fort Snelling it had to be made on foot and the weather was hot and the mosquitoes fierce and in countless swarms. Then the Indians were assailed by whisky peddlers and much disorder resulted. Mr. Rice finally ordered that all of the creatures engaged in the traffic be arrested and all the liquor on the line of march be destroyed. Not until about the 1st of August did the Indians arrive at the mouth of the Watab, on the Mississippi, directly opposite their reservation, and cold weather set in before they had become fairly settled.[1]

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[1] "The Winnebagoes left Turkey River on the 8th of June and arrived at the mouth of the Watab River on the 30th of July; the distance traveled 310 miles."—Fletcher's Report. Ex. Doc. No. 1 2d Sess. 30th Cong., p. 459.

Chapter XVIII.

EARLY PROTESTANT MISSIONS AMONG THE CHIPPEWA.

AFTER the authorities of the American Fur Company had made Mackinaw their headquarters and base of supplies for their operation in the Northhwest, a mission station was soon established on this noted island. In 1822, the first missionary, Rev. William M. Ferry, came to the island and began operations. He was a graduate from Union College and the father of Thomas W. Ferry, who was born at Mackinaw in 1827, and subsequently became a distinguished United States Senator from Michigan.

In 1823 Rev. Ferry and his wife opened a mission school at Mackinaw, where for many years were gathered Indian children from nearly all the tribes from the Northwest. A considerable number of children, Indians, mixed-bloods, white children of the traders and others on the upper Mississippi and in the Minnesota country, were pupils of this school. The majority of them, were, however, children with more or less Indian blood in their veins.

In the fall of 1829 the first practical steps were taken to establish Protestant missions in the Minnesota country. On the 1st of September Revs. Alvan Coe and J. D. Stephens, of the Presbyterian Church, arrived at Fort Snelling and became the guests of Agent Taliaferro. The clergymen came to make a preliminary survey of the situation with the view of considering the advisability of establishing missionary stations among the Sioux and Chippewas. Rev. Coe preached several sermons to

the garrison. Agent Taliaferro had already established on Lake Calhoun an Indian experimental farm which he called "Eatonville." He offered to turn over to the missionaries for stations this farm, and also the mills at the Falls of St. Anthony. September 14, Rev. Coe and Stephens left on horseback for the St. Croix to look over the situation in that quarter. Major Taliaferro had recommended that a station for the "Chippeways" be established on the St. Croix and another at Gull Lake. A mission was not established in Minnesota, however, until a year later.

The first Protestant mission in Minnesota was established at La Pointe, near Duluth, in 1830, by Frederick Ayer. In the summer of 1830 Lyman M. Warren, whose trading post was on "Magdalen" or Madeline Island, came to Mackinaw with an extra boat in which he proposed taking back with him to his post a missionary. Mr. Warren believed, as other shrewd traders did, that missionaries were helpers in the fur trade, besides he was a Presbyterian himself. To be sure other traders did not share his opinions as to the commercial value of evangelists about trading posts, holding them to be intermeddlers and censors who interfered in matters which did not concern them, told tales out of school and made conditions unpleasant.

At the time of Warren's visit, Mr. Ayer, then the teacher of Rev. Ferry's boys, school was the only person at Mackinaw available for the trader's use in the mission field. He readily consented to serve, and, with one of the pupils of the school for interpreter, accompanied Mr. Warren to La Pointe and at once started a school, the trader furnishing the school room and caring for the teacher. It was understood that missionaries were to follow and a chapel be built in due course. Mr. Ayer's school was continued but a few months. The next summer he returned temporarily to Mackinaw.

Meanwhile the American Board of Home Missions had commissioned Rev. Sherman Hall and his wife and Rev. William T. Boutwell, three Congregationalists and New Englanders, to proceed to establish a mission at La Pointe, also at any other available site in the country south and west of Lake Superior. They

came to Mackinaw and halted with Rev. Ferry, and began the study of the Chippewa language under the instruction of Surgeon Edwin James, of the military stationed at Mackinaw. Dr. James had thoroughly mastered Chippewa or Ojibway and had translater into the dialect of the tribe several portions of the New Testament. Mr. Boutwell elected to remain with him for some time and study the language. The missionaries' labors were to be chiefly among the Chippewas and a knowledge of the language was practically indispensable.

August 4, 1831, Rev. and Mrs. Hall and Mr. Ayer embarked at Mackinaw in company with a considerable detachment of fur company employes—in all seventy persons in five boats—and on the 30th arrived at La Pointe. Here they established their mission station, practically on a site where, one hundred sixty-six years before, the Jesuit Fathers had raised the banner of the cross and proclaimed the Gospel of Christianity to the heathen. The La Pointe mission station was the base of operation for the Protestant evangelists in Northern Minnesota for some time.

In the summer of 1832 Mr. Boutwell made an extensive tour from Mackinaw through Northern Minnesota in connection with Schoolcraft's expedition. He had remained at Mackinaw nearly a year, as assistant to Rev. Ferry. On his way with Schoolcraft to La Pointe, on Magdalen Island, he had an opportunity to send back a letter to his friend Sibley, then a clerk at Mackinaw, and June 19, when at the mouth of the river La Carp, he wrote:

* * * Thus far the Lord has led and prospered me. Eleven days' travel, in our way of travel, has encamped us within one day's march of Magdalen Island. The past day has been one of more than ordinary interest We reached the Ontonagon at half past ten, this morning. As we made our approach the first thing which caught my eye was the American flag. Soon I was startled by the discharge of a shower of musketry. All conspired to awaken the liveliest sentiments of patriotism and to remind me that I still lived in the land of freedom. Our tent was immediately struck [raised] and soon the principal chief, followed by all of his men, came to give us the hand of friendship and smoke the pipe of peace. No sooner than all were seated around the old chief expressed the satisfaction which he himself and all his young men felt in seeing us—as they were all in great want of tobacco. One

of the chiefs from Lac du Flambeaux and Moso Jud, chief from Otter Lake, expressed themselves in much the same manner.

They had come to mourn with their friends here for the decease of the principal chief who died last week * * * After Mr. S. [choolcraft] finished his business I read to them the Ten Commandments which most present had never before heard, and then gave them a little talk, after which my Indian friend addressed them with much apparent good effect. All listened attentively, and especially the three chiefs. The impression left upon their minds, I trust, was, on the whole, happy.

I sometimes shrink from the responsibility of the work, and am almost constrained to ask, Why did God assign this work to me, who of all his servants—if indeed a servant—am the least qualified for it? But in one thing I do rejoice;—it is the Lord's work and not man's, and He can and will accomplish it by means of men impotent in themselves to magnify the riches of His grace and to convince all of the Truth, that it is not by might, nor by power, but by His spirit.

Dear brother, pray for me. * * *

P. S. Please to tell my M. [ackinaw] friends not to be concerned, though I am daily becoming more assimilated to Indian habits. I had an elegant pipe presented me today, with a stem at least three feet long wrought with porcupine quills, and which I can smoke with much grace, having exhausted my stock of clay pipes. I fancy I shall become a perfect Indian in time. Can you fellowship an Indian friend? W. T. B.[1]

In the autumn of 1832 Mr. Ayer went to Sandy Lake, in the upper Minnesota country and opened a school at the trading post of William A. Aitkin. At the same time Mr. Boutwell joined Mr. Hall at La Pointe. They devoted nearly all the time to perfecting themselves in the Chippewa language, to teaching an English school, and visiting the Indians from wigwam to wigwam. When they began their work of laboring with the Chippewas they were assisted by some Indian converts from Mackinaw.

According to the Report of the American Home and Foreign Board for 1833, the station at La Pointe that year had been reinforced by Edmund F. Ely, Mrs. Fred Ayer, and Misses Cook, Stevens, and Crooks. Mr. and Mrs. Ayer and Miss Crooks

[1]Boutwell to Sibley, June 19, 1832; unpublished manuscript; Sibley Papers, 1830-40.

opened a new station at Yellow Creek; Mr. Boutwell and Mr. Ely took up the work at Sandy Lake. Later in the year Boutwell married Miss Hester Crooks, a half-blood Ojibway girl, the natural daughter of Ramsay Crooks, and the couple made preparations for occupying a new station at Leech Lake.

Mrs. Hester Crooks Boutwell was a superior woman. Like all mixed-blood Indian wives of white men, she was devoted to her husband and children, and was very domestic in her taste and disposition, loved her home wherever and whatever it was, and withal was a sincere and devout Christian. She inherited much of the intellectuality of her brainy father, who loved her devotedly, and she was well educated and informed. She became the mother of nine children, seven of whom lived to manhood and womanhood. She died in May, 1853, and was buried on the family farm near Stillwater.

The following is an extract from a letter written by Mrs. Elizabeth T. Ayer, wife of Rev. Frederick Ayer, to Sibley from Yellow Lake, and dated May 2, 1835:

> Br. Seymour and Sis. Stevens are with us. You probably heard that Mr. Boutwell came here last fall and took Miss Hester for a companion. They were married by Mr. Hall, who met them at Fond du Lac. She makes a good wife, so her husband says. I received a letter from his not long since a part of which reads thus: "She has exceeded my highest expectations in culinary affairs and given me more than one specimen of real New England bread. She is not ashamed to work and is always at something. When nothing calls for the employment of her hands, she is reading, writing or translating, and thus improving herself or endeavoring to benefit others. To speak plain, she is deserving a better husband than I was ever made to become. She is all and more than I expected in her or any wife."[1]

In the spring of 1834 Mr. and Mrs. Boutwell located at Leech Lake, and Mr. Ely left Sandy Lake and opened a station at Fond du Lac, near the head of Lake Superior. Mr. Ayer, at Yellow Lake, had adopted the plan of separating those Indians

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[1]Mrs. E. T. Ely to Sibley, Yellow Lake, May 2, 1835; unpublished manuscript, Sibley Papers, 1830-40. For sketches of Mr. and Mrs. Boutwell, letters of Ramsey Crooks to them, etc., see the Boutwell Memoir by E. D. Neill, in "Macalester College Contributions," Second Series, pp. 1-52.

who wished to be educated and to adopt civilized habits from their heathen brethren who preferred to remain barbarians. The result was fairly successful. The progressive Indians were, as might have been expected, opposed and even persecuted by their unregenerate kinsmen and neighbors, "Foolish praying people" they were nick named, and more of them were pushed back into savagery by the force of public sentiment and by ridicule than by any other influences.

During the winter of 1835-36 much religious interest was awakened among the Indians both at La Pointe and Yellow Lake. Several conversions to Christianity were reported at each place, but it cannot here be stated just how thorough these changes in belief were. Boutwell's idea seemed to be to preach the gospel of corn and wheat raising, house-building, clothes-wearing, reading and writing, as well as Christianity according to the Presbyterian standard, with predestination, calling and election, as features. Writing, June 23, 1836, to Sibley, Boutwell set forth the conditions at his station, as follows:

We have for the most part enjoyed health the winter past. Josette Pyant spent the winter with us. We are alone this summer. My garden, which consists of corn, peas, beans, oats, potatoes, and garden vegetables, looks quite well and employs all my leisure; so that I don't think of being lonesome.

The Indians daily visit us for something to fill their pipes. The poor fellows find hard times. They carry about their sacks and pipes with nothing in them save the little they get from me. I shall not be able to smoke long—at least unless I can get a fresh supply.

I am making the experiment whether or not cattle can be kept among the Pillagers.[1] They have wintered, and thus far, summered, but not without experiencing much cruelty from the young men and children.

Most of the old men are decidedly more friendly to the Mission than at first. They are evidently getting over some of their groundless and foolish fears. They are cultivating the land more than usual. I have supplied a goodly number with seed to plant and lent hoes to those nearest.

The Elder Brother,[2] the most influential chief, has a fine garden of corn, potatoes, and small seeds, such as beets, carrots, and onions,

[1]The Pillagers was the name of the particular band of Chippewas then at Leech Lake and to which Rev. Boutwell was ministering.

[2]One of the Chippewa chiefs that signed the Treaty of 1837.

he is fast approximating to habits of civilization. He last fall got him a decent log house built and bought a horse; this spring he paid Mr. [William A] A. [itkin], five otters (skins) for a young cow, which he is to send him as soon as the ice will go next winter. To encourage him I gave him a calf, one year old, which, with his mare and colt (that) he is rearing, will soon make him a fine little stock. He is an Indian among a thousand for his sincerity, integrity and inflexible love of truth and equity. He is the most worthy Indian I ever met; even Aitkin himself can say no evil of him. He is not afraid to speak his mind fully, however much he may differ from others.

We abound in Indian news here, not one word of which do I believe. Mr. A [itkin] informed one of the Pillagers, a few days since, that the Americans were going to demand the Ojibways who killed the Sioux (from Lac qui Parle, on the Chippewa river, near Lake Hassan, in April 1838.) This I think was said more to prevent them going to St. P [eter] than anything else, as several are thinking of going there. Some say the Sioux will not comply with the demand made on them, and are assembling to the amount of nearly 1,000 to fight the Americans.

Can you send me a few garden seeds and a few quarts of winter wheat for seed? I wish to make an experiment, whether wheat will grow here. Yours in the best of Gospel bonds,

W. T. BOUTWELL.[1]

In the spring of 1836 Mr. Ayer's mission at Yellow Lake was removed to Pokegama. The latter was the more favorable site for the establishment of a civilized community. Pokegama Lake, though small, was well stocked with fish and was connected by a short outlet with Snake Creek and the St. Croix, and so with the Mississippi. The new station was therefore not more than three days canoe journey from Fort Snelling and to St. Peter, which became the base of supplies. John L. Seymour was Mr. Ayer's assistant.

In the summer of 1837 he brought with pardonable pride to Fort Snelling an Ojibway convert that he had made and the two took sacrament with Riggs and the Ponds at what Mr. Riggs called, "our first celebration of the Lord's supper in Dakota land." At this time mission work in Northeastern Minnesota was going bravely on. At La Pointe Rev. Sherman Hall was assisted by

[1]Boutwell to Sibley; June 23, 1836; unpublished manuscript; Sibley Papers, 1830-40.

Mr. and Mrs. Joseph Town, Mr. Ely of Fond du Lac had married Miss Bissell of Mackinaw, and they had for assistant Granville T. Sproat. Mr. and Mrs. Boutwell were laboring by themselves at Leech Lake. In 1837, according to the report of that year of the American Board of Home and Foreign Missions, Mr. Town had left La Pointe, being succeeded by Mr. Sproat, which arrangement left Mr. and Mrs. Ely alone at Fond du Lac.

In the spring of 1838 there were other changes. Rev. Boutwell became disgusted with the situation at Leech Lake. Notwithstanding his half-blood Chippewa wife, her brethren mistreated the missionary to the point of persecution. He had little encouragement in his labors and at times the conduct of the Indians towards him was savage and violent. They plundered his garden, shot his cattle, and annoyed him in other ways. At last he and his good wife determined to abandon the Leech Lake Ephirams, who seemed joined to their idols, and shaking the unfriendly dust of the place from their feet, as much in anger as in sorrow, they repaired to Pokegama and Snake River station, taking the place of Mr. and Mrs. Ayer, who went to Fond du Lac. Meanwhile the Gospels of St. Luke and St. John and the Acts of the Apostles and several religious tracts had been printed in Ojibway. The gospel had taken effect in the little community at Pokegama. Seven Indian couples had been married by the missionaries, a number had erected houses and were living somewhat as white people, while eight or ten of them were, by a liberal charitable construction, considered to be Christians. What Boutwell called a "spiritual quickening" was experienced in the winter of 1838. He tried to maintain and to preserve and even to improve conditions. His Christian spirit was manifested among the Pokegamites by acts and deeds of charity. Freely they asked and freely he gave them.

At last, when they had well nigh eaten him out of house and home, and were really barbarians and heathens still, Mr. Boutwell decared for a new policy toward the Indians. In March following he wrote to Sibley:

> Things here (at Snake River and Pokegama) are taking a new and, I hope a more favorable turn. We have been very busy all winter

in aiding such, and only such, as are of their own accord disposed to submit to good and wholesome measures, viz: Keep the Sabbath, listen to God's Word, and send their children to school.

We have had more applications for aid from the Indians than we could meet. To tell you the truth, friend S., I have erred with my brethren in one particular. Do you ask what? I answer, in respect to kindness, that compassion which feeds the hungry. (I should have said lazy and improvident). The truth is, that they have regarded all our charities in the light of buying them to hear and obey God's Word.

I resolved on adopting a new policy the present winter, and I have been astonished at the result. When Indians came begging I gave them my axe and showed them my woodpile. I have made it a point to rub their ears with facts too stubborn to be gainsayed or denied. Seven winters that I have been in the country I have fed the hungry, and they are none the wiser, none the more provident. It's enough! I will feed you no longer. If you choose to smoke and sleep all summer, you may beg in the winter and get nothing. I have planted, hoed, and dug potatoes with my own hands till I am tired, and if you will not raise them for yourselves you shan't eat them hereafter.

Instead of their showing anger, they cover their faces with shame and self-reproach. The result is that those very fellows who, last summer, made Seymour so much trouble in killing cattle and enjoying his gardens have taken their axes and gone to work in good earnest. Two of them have got the timber on the ground, with our help, and one has his own house nearly up.

Of other matters connected with missionary operations in Minnesota, Rev. Boutwell wrote in the same letter from which the foregoing is quoted:

Mr. Ayer has returned from Fond du Lac. We have resolved to abandon that place. The major part of the Indians there are engaging in the fisheries on Lake Superior, and there is but little hope of permanently benefiting them. Mr. Ely and Family will join Brs. Seymour and Ayer at the opening of navigation and I shall leave, if Providence permits, to visit my friends at the East.

Whether the Board will instruct me to return to Leech Lake or Mille Lac, I know not. But probably they will occupy one of the places. The Mille Lac chief[1] came to me last fall with one of his little boys whom he was desirous of leaving in our family for the purpose of attending school. When I declined taking his child, he then expressed a wish that some of us would go and open a school at his place and aid him in building, as some of the Indians were doing here.

[1]There were two Mille Lac chiefs in 1838-9 Rat's Liver and First Day.

We know not what a day may bring forth, but must do with our might whatsoever our hand findeth to do.[1]

The everlasting enmity and the almost incessant warfare between the Chippewas and the Sioux greatly interfered with missionary work. Hole-in-the-Day's treacherous murder of the Lac qui Parle Sioux, in April, 1838, greatly interfered with the operations of the Pond brothers, and the effects of the tragedy were felt by Boutwell and the other workers among the Chippewas. By the bloody affairs on Rum River and the Lake St. Croix in July, 1839, their mission stations were broken up, viz: the stations of the American Board at Lake Harriet and Pokegama and the Methodist Mission station at Little Crow's village, near the present site of St. Paul.

During the summer of 1839 the Fond du Lac Mission station was abandoned and in 1840 there were but two stations in operation among the Chippewas. At La Pointe were Rev. Sherman Hall, missionary, and his wife and Granville T. Sproat, teacher, and his wife. At Pokegama were William T. Boutwell, missionary, and his wife; Frederick Ayer, teacher, and his wife; Edmund F. Ely, teacher, and his wife, and Miss Sabrina Stevens. In 1840 Mr. and Mrs. Boutwell passed some time in New England, under direction of the Mission Board. On their return to the Northwest they were detained at La Pointe, where Mrs. Boutwell took charge of some Indian girls and taught them to read, write, knit, and sew.

In January, 1841, Mr. Boutwell journeyed to his old station at Pokegama, accompanied by two other men. The snow was nearly three feet deep, and the trip, a distance of 250 miles, was made on snow shoes. A dog sledge, pulled by two dogs, conveyed the axes, kettles, provisions and blankets of the party. Pokegama was reached in ten days and the reenforcement was heartily welcomed by Mr. Ayer and his associates.

Nearly all of the Snake River Indians were found encamped about the mission. To Boutwell's astonishment, all of the able-bodied men, from the highest chief to the humblest warrior,

[1]Boutwell to Sibley, March 23, 1839; unpublished manuscript; Sibley Papers, 1830-40.

were cutting wood and working willingly and industriously. His former Leech Lake policy had been adopted at Pokegama. When extreme cold weather set in they had swarmed about the station and began to beg for something to eat. Mr. Ayer plainly told them that he had provisions for such, and only such, of them as were willing to work. He would give them a bushel of potatoes, or an equivalent in corn, for a cord of wood, cut and split. At first some of them derided the proposition, but the majority took their axes and set to work. It was not long until the despisers of honest toil were glad to take up and use their axes too.

Very soon when a man and his family became hungry, instead of begging food from the poor missionaries, who earned what they had by hard work, the red man and his wife and children soon put up a cord of wood and then called upon Mr. Ayer to measure it and pay for it, and in a brief time their appetites were as fully satisfied as they could be with boiled potatoes as the relief-giving agent. In two weeks, the Indians had cut and delivered between seventy and eighty cords of wood. Boutwell tells us in his journal that an important point had been gained in breaking up the Indian habit of begging and substituting the habit of laboring. Furthermore he says:

> Another favorable feature which is developing itself and becoming more general is their desire to build houses and locate their families by us. Among the number who, two years since were the farthest in human view from civilization, are now found several who are desirous to settle down. There is not a family in the band who does not treat us with kindness and respect * * * I administered the sacrament of the Lord's Supper to twelve who sat down in the wilderness to communicate Jesus' dying love. The ordinance of baptism was administered to three children.

After a stay of two weeks on this occasion Mr. Boutwell returned to La Pointe. On the 29th of May he started with his family for Pokegama, but en route met some of the fugitives from the Sioux attack of the 24th. He sent those who had come under Christian influence to La Pointe.

The tragedies at Pokegama resulted in the destruction of the Indian mission station there. The Chippewas now realized the exposed position of the village, its liability to attack, and its

remoteness from help in time of danger, and so they abandoned the place and the most of them went to live with their tribal brethren, on the south shore of Lake Superior. Mr. Boutwell went to La Pointe, where many of them had gone, and was with them for a considerable time during their trouble and distress.

But now in the Snake River Valley the Indian's tomahawk had been replaced by the pine cutter's axe. The lumbermen were at work in the dense pine forest and procuring raw material for the saw-mills they had established at the Falls of the St. Croix. As the Chippewas were afraid to return in any considerable number to Pokegama, the missionary began to preach to the lumber-jacks and other white men who had been borne into the country by the first wave of civilization that washed up the channel of the St. Croix. For several years, according to Dr. Neill, whose accounts of this renowned old servant of God have been generally followed, Mr. Boutwell remained at Pokegama, "doing good as he had opportunity, to Indian or white man." Often he preached in lumber camps to the white men; often he labored among the Indian wigwams with the heathen redmen. But in 1847 he removed to a farm near Stillwater, which was ever afterwards his home, and in his new field had more and better opportunities for "doing good," especially to his brethren of pure white blood. In 1848 he wrote to the American Home Missionary Society a lengthy letter or report in which he described his situation in general as follows:

It is a year last June since I left the Indians and came on to the St. Croix. In looking over this moral waste, the first dictate of duty seemed to be to take a point from which you can reach its two extremes—the Falls of the St. Croix on the north, and its junction with the Mississippi on the south, a distance between them of sixty miles. The medium point falls near this place, where I am located. Here I have preached half the time, and the other half twelve miles north, at the Marine Company's lumbering establishment. As I foresaw in locating at a central point, I have on several occasions been called to both extremes to attend funerals and marriages, and also to preach. In locating here there was quite a strife between three or four places to see who would get the prize, and then be able to say to their neighbors, 'We are ahead of you, for we have got the minister.'

My position is just this: Thirty miles north of me is the Falls of St. Croix; the people are anxious to obtain my services, or those of

another man, and would raise probably $150, or more, for his support. Seven miles below is Osceola, a small lumber settlement, and here they would do something. A man could conveniently occupy both these places. At the Falls from 100 to 150 men are employed all the year round; it is the thoroughfare [sic] for all who are engaged in lumbering. Twelve miles from here and next on the river after leaving Osceola is the Marine Company, and four miles below them is the Arcola Company, just entering in business on a small scale. Next is Stillwater, at the head of Lake St Croix; here is a mill for manufacturing lumber. Here also is a little village which has sprung up like a gourd, but whether to perish as soon God only knows. Here is the county seat for the proposed new territory,[1] and here they ought to have, and desire preaching all the time, and are willing to do something for its support. Ten miles south [in the vicinity of Afton] takes you into the neighborhood of Eastern farmers, principally from Maine; I am obliged to go and preach to them occasionally. Go on now fifteen miles and you are at the mouth of the St. Croix; here is a little settlement who are always glad to see me.

We have now followed the St. Croix from the Falls to its mouth. Eighteen miles [southwest] west of Stillwater, on the Mississippi, is St. Paul. Americans are fast settling in, and it is destined to be an important place. Seven miles distant [from St. Paul] by land is the Falls of St. Anthony. Here gentlemen from the East are investing capital in a large lumbering concern. The water power will give this point the preference of all others in this region.

After he had settled on his farm, which was situated a few miles west of Stillwater, and which he acquired by homestead entry, he retired from exclusive Indian mission work, and became a sort of evangelist to both reds and whites. Not long after his settlement, while riding to preach to some of his remote neighbors, his horse stepped into a gopher hole, fell, and seriously injured the rider. He received a severe intestinal rupture, which greatly impaired his physical strength and virtually made him a cripple the remainder of his days, although he was obliged to work for the support of his large and increasing family.

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[1]By "territory" it cannot be believed that Boutwell meant the "proposed new territory" of Minnesota; else he would have used the word capitol and not the words "county seat." Doubtless he referred to a new county which would be created as soon as the territory was organized. Stillwater has always been the county seat of Washington county.

In the fall of 1848 Rev. A. Kent, pastor of a Presbyterian Church at Galena, Illinois, came to and consulted Boutwell about religious work in this quarter. Upon his return his account of the country led Rev. Edward D. Neill, then a young minister of the Galena presbytery, to volunteer for service in the Minnesota country. In April, 1849, Revs. Neill and Kent landed at St. Paul, and Neill preached in the little village the following Sunday. During the succeeding summer he built a small frame church, the First Presbyterian Church building in the white settlements; the missionaries' churches were not in the white settlements.

Mr. Boutwell was elected chaplain of the first Territorial Legislature. He organized the first religious congregation and preached the first sermon in Stillwater. In May, 1853, he lost his faithful wife, who had been such an efficient helpmeet for him. She had been his co-laborer in missionary work, the mistress of his household, the mother of his children, the wife of his bosom, and his heart's best love. She had borne him nine children. During the War of the Rebellion three of his sons served in the Union army. In September, 1854, he was again married, on this occasion to Mary Ann Bergin, of Lancaster, New Hampshire. She died in 1868, leaving no children. Mr. Boutwell himself died on his farm near Stillwater, Oct. 11, 1890, aged eighty-seven years and eight months.

In the summer of 1841 the Board of Home Missions sent reenforcements for its laborers among the heathen Ojibways of the Northwest. Volunteers for such service are always to be had, no matter how trying the experience is likely to be. Reverends Leonard H. Wheeler and Woodbridge L. James, with their wives, and Miss Abigal Spooner, joined the station at La Pointe. Some of the Chippewas who had fled from Pokegama because of the Sioux had gone to Magdalen Island, so that there was plenty of material there for full and prosperous schools of both boys and girls.

So crowded were the classes that Mr. and Mrs. Wheeler and Mr. Sproat opened and taught night schools, and altogether there was a great boom in education at Pokegama in the fall

and winter of 1841. On Sundays there were two public religious services, one in Ojibway and the other in English, and, besides, there was a Sunday school, which was well attended. The church services drew good audiences, but there were but few converts. The Indians seemed far more desirous of learning to read and write than to pray and "be good." But Rev. Sherman Hall was moved to write to his superiors at this time these hopeful words: "Notwithstanding the troubles between the Sioux and Ojibways I think there never has been more encouragement to labor for the conversion of the Ojibways than there is at present."

Every missionary in the Northwest has always had his phrenological bump of hope abnormally developed. No matter how disagreeable an unprejudiced observer might consider the situation, or how unpromising the future and adverse the prospects, the missionary always was cheerful. No situation was ever so harsh and forbidding that he could not find pleasant seats therein; no sky was ever so clouded that he could not see the star of hope. The conversion of the savages was not effected without great labor, but the job always promised to be easier very soon, and at no very distant period all the Indians would be Christians and a glorious ending would crown a grand work.

And yet even now, in this year of grace 1907, nearly one-half of the Chippewas in Northern Minnesota are pagans and heathen to the same extent that their grandfathers were. The Manitou is worshiped as of yore, there is faith in the medicine men, and scorn and contempt for the religion of the white men, as in the days when it was first proclaimed to them.

Some biographical mention of the early Protestant missionaries among the Chippewas seems proper in connection with the story of their work.

Rev. William Thurston Boutwell, the leading character among these laborers for Christianity, was born at Lyndborough, New Hampshire, February 3, 1803. He was a graduate of Phillips Exter Academy and Dartmouth College, and was a student in Andover Theological Seminary, where he decided to become an Indian missionary. He was a Congregationalist, as

were his co-workers in Minnesota. (See Macalester College Contributions, Second Series).

Frederick Ayer was born October 11, 1803, at West Stockbridge, Massachusetts. He came to Mackinaw in July, 1829; in 1830 he went to La Pointe, on Magdalen Island, near the southwestern extremity of Lake Superior, where in August of the following year he became a missionary; in 1832 he was stationed at Sandy Lake; in September, 1833, at Yellow Lake, Wisconsin; in May, 1836, at Pokegama Lake of Snake River. Some years later he was ordained to the ministry, and established a mission at Red Lake, Minnesota. In 1857 he was a member of the "Republican Wing" of the State constitutional convention. After the War of the Rebellion he and his wife went to Atlanta, Georgia, as teachers of the freedmen or negroes, and here Mr. Ayer died, and was buried in the fall of 1867. His wife, Elizabeth Taylor, born in 1803, was a native of Heath, Massachusetts. She came to Mackinaw as a teacher in May, 1828. She was married to Mr. Ayer in 1836. She accompanied her husband in all his labors, not only among the Indians of Minnesota but among the negroes of Georgia. Mrs. Ayer was a woman of strong intellectuality, gifted and accomplished, and withal possessed remarkable physical qualities. She died at the residence of her son, at Belle Plaine, Minnesota, in August, 1898, at the advanced age of ninety-five. In 1892, at the age of ninety-two, she sent to the Minnesota Historical Society, the manuscript of a historical sketch of the Red River settlement. The then Secretary of the Society, Ex-Governor William R. Marshall, notes that at that time Mrs. Ayer wrote "in a clear firm hand." Her sketch, entitled, "First Settlement on the Red River of the North, in 1812, and Its Condition in 1847," appears in Volume Six of the Historical Society Collections.

Edmund F. Ely was born August 3, 1809, at North Wilbraham, Massachusetts. He came on missionary work to Sandy Lake in September, 1833; to Fond du Lac in August, 1834; to Pokegama in 1839. He married Catherine Bissell at La Pointe, August 30, 1835. After leaving the mission service he lived for several years in St. Paul, and then removed to Oneota, a sub-

urb of Duluth. From the Lake Superior region he went to the Pacific Coast, where he died some years since. The town of Ely in Minnesota was named for him.

John L. Seymour was born at Plymouth, Connecticut, in 1811. He came to Mackinaw in 1833; to Yellow Lake in September, 1834, and to Pokegama in May, 1836.

Granville T. Sproat was a native of Middleboro, Massachusetts, and came first to La Pointe in 1835. In 1838 he married Florantha Thompson, in Massachusetts and returned with her to his mission field.

Chapter XIX.

EARLY PROTESTANT MISSIONARIES AMONG THE SIOUX.

IN the summer of 1827, Rev. Jedediah D. Stevens and wife came, in the service of the American Board of Home Missions, to Mackinaw, where they continued for two years. They were from Central New York and enthusiastic in the cause. In the summer of 1829 Mr. Stevens was sent on an exploring and investigating tour among the Ojibways of Wisconsin and the Dakotas, or Sioux, of the Mississippi. He went as far westward as to Fort Snelling, where, as has been previously stated, he was warmly welcomed by the handful of Protestants of the locality. After his return to Mackinaw and making his report he and his wife were sent to labor with the Stockbridge Indians, on Fox River, near Green Bay.

In 1834 the Mission Board ordered Mr. and Mrs. Stevens to go among the Sioux and establish a permanent mission. By circumstances they could not control, they were compelled to spend the following winter at Mackinaw, and did not reach Fort Snelling until in the spring of 1835. Here they received a strong reenforcement composed of industrious and zealous men and women headed by the accomplished Dr. Thomas Smith Williamson, himself alone a great force not easily to be resisted and a tower of strength not easily overthrown.

Dr. Williamson was a South Carolinian, born in Union District in that State in March, 1800. His father was a minister, but the son was not religiously inclined until he had reached young manhood and was attending Jefferson College, Pennsyl-

vania, where he graduated in 1820. He completed a thorough medical education at Yale College in 1824, and manumitting all his slaves and disposing of his other property in South Carolina he came to the North, located at Ripley, Ohio, where in 1827 he married Margaret Poage, a daughter of Colonel James Poage. He practiced medicine successfully for ten years, but in the spring of 1833 began the study of theology. In April, 1834, he was licensed to preach as a minister of the Presbyterian church by the presbytery of Chillicothe, Ohio.

Before he was licensed as a minister, however, Dr. Williamson had been much interested in the subject of missionary work among the American Indians. He had offered his services to the American Board of Home Missions, and had been sent by that organization on an investigating tour among the Indians of the Upper Mississippi. His special mission was the Sacs and Foxes of Iowa, but he was to procure what information he could regarding the Sioux, the Winnebagoes and others. In May he reached Fort Snelling, and returned to his Ohio home in August. He had met the Sacs and Foxes at Rock Island, and at Prairie du Chien he first saw the Sioux; among them was their noted half brother, Joseph Renville, of Lac qui Parle.

Ordained September 18, (1834) he received his appointment as a missionary to the Dakotas a few months later from the American Board of Home Missions. April 1, 1835, Dr. Williamson and his wife and child, Alexander G. Huggins and family, and Miss Sarah Poage—a sister of Mrs. Williamson—left Ripley, Ohio, for the Northwest, and on the 16th of May arrived at Fort Snelling.

But the members of the Williamson party were not the first religious emissaries to the Sioux. In the spring of 1834 two brothers, Samuel William Pond and Gideon Hollister Pond, of Washington, Connecticut, arrived at Fort Snelling, in the land of the Dakotas. They had been self-moved—or, as Riggs expresses it, "God moved"—to come to the Indians with the gospel message. Neither of them had been appointed a missionary, or ordained as a minister, or even studied theology as it is commonly studied. They had no mission board or other organization to

support them. They were simply missionaries "on their own hooks," self ordained and self-appointed. They had no promise of pay or emolument, and carried neither scrip nor staff. Their history[1] says: "They expected to go among roving tribes of Indians, to have no certain dwelling place, and to subsist as the Indians themselves subsisted."

Soon after their conversion, which occurred during a great religious revival, which was well nigh Pentecostal in its character and proportions, the two brothers felt "called" to assist in spreading the gospel, and under some influence selected the Northwest as their field. Samuel, the elder brother, came first, locating at Galena in the spring of 1833. That year he had three separate attacks of Asiatic cholera, a prevalent and most deadly plague in the West at that period, and he nursed the sick from that disease at Galena, where it was especially bad. Of other conditions at Galena in the fall of 1833 he wrote to his brother Gideon:

> This is one of the strongholds of the Prince of Darkness. It has appeared to me during the past summer like the gate of Hell, for it has been very unhealthy and of the multitudes who have died I have not known one who has died in the Lord. The worst kinds of vices prevail to a high degree * * * Indeed wickedness prevails in every form.

At first Samuel intended to labor among the Galena lead miners and the white frontier people of the district, but in time a whisky seller told him of the Sioux of the St. Peter who had never even heard of Jehovah, or of the Prince of Peace, who came to save all men from their sins, and his soul was set on fire with a desire to go to their help. He wrote to his brother Gideon and induced the younger brother to join him and go with him on his evangelizing excursion to the savages.

They left Galena on the historic old steamboat, the Warrior, on May 1, 1834, and on the sixth reached Fort Snelling. While they were still aboard the boat they received a visit and a warm welcome from Rev. Boutwell, who chanced to be at the

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[1] "Two Volunteer Missionaries Among the Dakotas," by S. W. Pond, Jr., 1893.

Fort at the time. The meeting was quite accidental, for the brothers had never heard of Boutwell nor he of them. At this time Samuel Pond was twenty-six and Gideon twenty-three years of age. Both were tall and slender, but strong and active, and extremely well fitted mentally and physically for enduring the exacting life upon which they had entered. Boutwell described them in his journal as, "these dear brothers who from love of Christ and the poor red man have come alone into this long neglected field."

In the absence of Major Taliaferro in the East, the acting Indian Agent at Fort Snelling, a Mr. Grooms, permitted the brothers to occupy a vacant room in one of the agency houses, charging them rent for it and giving them no encouragement of any kind regarding their mission. Soon after their arrival Major Bliss, the commandant of the fort, summoned them before him and demanded an explanation of their presence in the country. Samuel Pond alone answered the summons, for the younger brother did not care to venture into the august presence of the officer. A letter of introduction from a General Brinsmade, of their home town in Connecticut, was satisfactory to the commandant as a certificate of character, and he then demanded their plans. "We have no plans," replied the young evangelist, "except to do what seems best for the benefit of these Indians." Major Bliss then mentioned the fact that the Kaposia Indians of Big Thunder's band had been furnished a team of oxen and a plow, but did not know how to use them and had no one to teach them. Mr. Pond immediately volunteered to go down to Kaposia and teach the plowing to its people, and the Major dismissed him and was ever after the firm friend of the brothers, as was Mrs. Bliss.

Mr. Pond remained a week at Kaposia. In a letter written May 25 he says:

> I stayed last week with a band of Indians nine miles south of this place. I went to help them break up planting ground, and as I had no other shelter I slept in the house of the Chief and ate with him. He had two wives and a house full of children. He appeared to be much pleased with the plowing. They have never had any done before.

Chief Big Thunder and his head soldier, Big Iron, held the plow alternately while Mr. Pond drove the oxen. It is claimed that the Chief and his head soldier were the first Dakotas that ever plowed a furrow. The Chief learned to become an expert plowman and teamster.

When Mr. Pond left Fort Snelling for Kaposia he took with him a supply of provisions, preferring to eat his own rations; but the Indians or their dogs stole them and he was forced to board with Big Thunder. The Indian fare was scanty and to him unpalatable, but it could be eaten—and it was. The tepee where he slept had other inmates beside human beings and dogs, and Mr. Pond was almost constantly engaged in trying to free his underwear from them.

Meanwhile Gideon Pond was engaged in plowing for Chief Cloud Man's band, at Lake Calhoun, and faring generally as his brother. The brothers were so eager to learn the Sioux language that they were willing to pay an exorbitant price for the opportunity of instruction. Major Taliaferro returned, and as he was a good Presbyterian himself, he gave them their room in the agency rent free and allowed then the services of Scott Campbell, the agency interpreter, without charge.

Chief Cloud Man was a strong and very peculiar character. In some respects he was a thorough Indian; in others he was like a white man. While nearly all of the other Sioux supported themselves by hunting, fishing and trapping, as their ancestors had done, Cloud Man's people cultivated small fields of early maturing corn land and were never in danger of starving. The original seed and the practice of planting had been introduced by the chief. He said that one winter, prior to 1830, he and a part of his band were up in the Red River country hunting for buffalo. A blizzard came upon them and they were literally snowed under and remained covered by heavy drifts for several days, without anything to eat. While in this situation the chief said he formed a resolution that thereafter he would rely for subsistence upon the raising of corn and vegetables, in connection with the spoils taken in the hunt and chase. When the plow and oxen were given him he was greatly delighted; there-

tofore the ground had been broken by hoes, a difficult and tedious process, and now he felt that his agricultural labors would be greatly lightened and facilitated. The most serious obstacle to corn raising at that day was the presence of countless flocks and swarms of red-winged starlings, or black birds, as they were called. These little pests would be after the corn within five minutes after it had been planted and would scratch it up after it had sprouted. They raided the fields at dawn and did not cease their attacks until nightfall. Cloud Man kept scores of the women and children of his village in the corn patches solely to frighten away the blackbirds by cries and demonstrations.[1]

In May came Dr. Williamson and his assistants, the Pond brothers, now determined to build for themselves a cabin near some Indian village so that they might be more intimate with its people and learn their language the more readily. Major Taliaferro advised them to locate at Lake Calhoun, near Cloud Man's village. The Chief gave them a hearty welcome, and they built their house of felled tamarack on the east side of the lake. The only cash expended in its construction was a New York shilling, or twelve and one-half cents, paid for a pound of nails to make the door.

Dr. Williamson went at once to work. On the 12th of June he organized the first Christian church in Minnesota. This was within the garrison at Fort Snelling and consisted of twenty-two members, who had been secured chiefly as the result of labors of Major Loomis, the commandant, among his soldiers. The organization was called the First Presbyterian Church of St. Peter's. The elders were Major Gustave Loomis and H. H. Sibley.

At Prairie du Chien, as has been stated, Dr. Williamson met Joseph Renville,[2] the renowned mixed-blood Siouxx. After surveying the situation carefully the doctor concluded to accompany

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[1]Blackbirds continued to be a dangerous foe to corn-planters all through pioneer days. The legislature of 1860 offered a bounty for their heads.

[2]In early days the name was commonly written Rinville and Rainville by his clerks and others. See Sibley Papers.

Mr. Renvillle to the latter's home and store at Lac qui Parle and establish a mission station there. On the 23d of June his party embarked on the Fur Company's Mackinaw boat, which was laden with trader's goods and supplies, and set out on a voyage up the Minnesota, then at a good stage of water. The boat was propelled by poles, oars, a sail, and by pulling the willows along the abrupt shores. Progress was very slow and eight days were required to reach Traverse des Sioux. From the Traverse the remainder of the journey was made in wagons and Lac qui Parle was reached the 9th of July—seventeen days out from Fort Snelling.

On the north side of the Minnesota, in plain view of "the lake that speaks," Dr. Williamson and his companions established themselves as religious teachers of the Wahpaton and Sisseton Sioux.

During the summer of 1835 Rev. Jedediah D. Stevens erected mission buildings on the western margin of Lake Harriet, near where in recent years the public pavilion stood. Here he opened a mission boarding school, for girls, which was taught with much success by his niece, Miss Lucy C. Stevens. Quite a number of Dakota girls were educated in the primary branches and trained as seamstresses at this school, and some of them became Christians. Gideon H. Pond was an expert house carpenter, and aided very materially in erecting the mission buildings.

In 1836 G. H. Pond was transferred to the station of Dr. Williamson at Lac qui Parle, where he married Miss Sarah Poage, and remained until in the spring of 1839. His brother, S. W. Pond, returned to Connecticut in the fall of 1836, where and when he was licensed, for the first time, as an Indian missionary, and his name was placed on the roll of the American Missionary Board.

On June 1, 1837, Rev. Stephen Return Riggs, a native of Ohio, and a graduate of Jefferson College, Pennsylvania, and his wife arrived at Fort Snelling as missionaries to the Sioux under the American Board. They were Presbyterians and were entertained by their brother in the church, Lieutenant E. A. Ogden.

They spent the summer at the Lake Harriet station, and in the fall were transferred to Lac qui Parle.

Joseph Renville, the mixed blood trader at Lac qui Parle was an earnest and influential friend of the mission cause. He had two Indian wives, but professed to be a Christian, wanted his children educated and used all his great influence among the Indians of his territory to induce them to follow his example. He had helped Dr. Williamson in various ways, and when Rev. Riggs arrived a small congregation of Indian converts, numbering seven adults, had been organized. By 1842 the number received from the beginning had reached forty-nine, although some of them had fallen away from their duties.

Chapter XX.

CONGREGATIONAL MISSIONS.

IN June, 1843, the new mission station at Traverse des Sioux, on the Minnesota, was commenced. The agents of the American Board in the Sioux country at the time were, Rev. S. R. Riggs and wife, Robert Hopkins and wife, Thomas L. Longley, Jane S. Williamson, Miss Julia Kephart, the Pond families and Dr. Williamson's. Riggs and Hopkins and their wives and Longley were stationed at Traverse des Sioux. Miss Williamson stopped with her brother, the doctor, who was then at Fort Snelling in place of S. W. Pond, who had been a year at Lac qui Parle. Soon after Mr. Pond came to the lower stations and he was succeeded at the upper by Mr. and Mrs. Hopkins.

When the Hopkinses started for Lac qui Parle, they were accompanied by Mrs. Riggs, who went up to bring down her little daughter and three young Wahpatons, who had been baptized under the names of Simon, Henok (or Enoch) and Lorenzo, and each was twenty years old. Riggs had taken them to Ohio a year or more previously, and they had been educated, admitted to the church, and were dressed as white men. They were being brought back to their people to labor among them for their conversion.

Their kinsmen at Lac qui Parle had learned that these young men were returning home, and Simon's brother and wife and a young man went out to meet and welcome them. Five miles east of the mission where the road to Traverse des Sioux crossed the Chippewa River—or Maya-Waukon, as the Sioux called it—in ambush in the brush along the stream, lay a war party of

Chippewas. As the two men from the village came up the Chippewas shot them and lifted their scalps. The woman, who was some distance in the rear, heard the reports of the guns and ran back to the village, giving the alarm.

Simon rode on horseback at the head of the mission party. As he came near the Maya-waukon out from the brush stepped the Chippewas carrying two fresh and gory scalps. Simon boldly rode forward and shook hands; this he could safely do, because he was dressed like a white man. The Chippewas proudly displayed the scalps and Simon looked upon them with interest, but he had no thought that one of them was his own brother's.

And so it was that when the mission teams had crossed the stream they were met by almost the entire village of Lac qui Parle, maddened and excited to frenzy by the murder of their two brothers, and hot in pursuit of the murderers. "But, ah! You missionaries have caused it all. If you had not taken these boys away to make Christians of them, their friends would not have gone out to meet them and the Chippewas would not have killed them. It is all your fault and you ought to suffer for it." So said the more practical among them, and so they believed. One man raised his gun and shot and killed one of the horses of the team that drew the wagon in which the women were. There were other menaces and threats, and but for Simon and his two companions something serious might have happened. The women were compelled to walk the rest of the way over a great glaring prairie and under a hot July sun, and Mrs. Riggs, although she had lived among these same Indians for a long time and was loved by many of them, was so badly frightened that her hair turned permaturely gray.[1]

Thomas Longley, a young man in his prime, was a brother of Mrs. Riggs and remained at Traverse des Sioux to assist his brother in the work of building their log cabin home. By the 15th of July Mrs. Riggs had returned with her two little daughters, from Lac qui Parle, and Mr. Huggins, Fannie Huggins, and Jonas Pettijohn had accompanied her.

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[1] "Mary and I" p. 79.

On the day named Longley and his brother-in-law were bathing in the Minnesota when the young man was seized with cramps and almost instantly drowned. His associates were of course well nigh prostrated with grief, but they were missionaries and thought they ought to submit in resignation to such sorrows and bereavements.

The Indians, however, took another view of the matter. They said the young man had been drowned by Oonk-tay-he, or their god of the waters, who was angry with the missionaries because they despised and defied him and he had taken this method of manifesting his displeasure. The sad incident angered them, and they could not be reconciled until they had shot and eaten the only yoke of oxen the mission had to do its hauling. It was often so that when the Indians felt aggrieved and afflicted or sorrowful and sad hearted, or indignant and angry, they sought surcease and consolation in killing and devouring the tough oxen of the missionaries. The next winter they killed and ate a third ox, which Mr. Riggs had bought to work singly in drawing wood.

The mission at Traverse des Sioux was founded under discouraging circumstances and conducted under great embarrassments and adversities. Rev. Riggs had sought to establish his lower mission station at Little Rapids, where Carver stands now, but the Indians of the vicinity plainly told him that they did not want his mission among them and that if he persisted in establishing it they would destroy it. At Traverse des Sioux was the trading post of Louis Provencalle (or Le Blanc, as he was often called) and he invited the location, although he was a zealous Roman Catholic. The chiefs of the two bands of Sisseton Sioux in the neighborhood, Sleepy Eye and Big Walker, welcomed Mr. Riggs and his associates and were always their friends; but the majority of the members of their bands were opposed to the "sacred white men" and did not want them to locate at Traverse des Sioux or any where else on the Minnesota.

The Indians annoyed the mission in various ways. White traders not connected with the Fur Company were rather plentiful in the country and paid whisky for furs whenever insisted

upon. The result was that many of the savages came under the influence of the "spirit water," and drunkenness was common. Chief Tonka Mannee, or Big Walker, became addicted to the evil habit and Sleepy Eye was by no means a tee-totaler. Mr. Riggs writes:

"The Indians at the Traverse were drunk most of the time and our house was often visited by them when they were in a state of intoxication."

On one occasion a drunken Indian demanded food of the mission women. They gave him a plate full of rice, but after "slobbering over it awhile" and defiling it, he compelled the white ladies to eat the mess. "They were too much afraid to refuse." On another occasion Chief Big Walker, while on a big drunk, came to Riggs' cabin, late at night, and demanded admission and when refused threatened to break in the door.

Nearly all the Indian women and girls were "wamanonsa," or thieves, and stole and carried away the scissors, buttons, napkins, towels, and all the other notions and trinkets that they could lay their nimble and tricky fingers upon, so that Mrs. Riggs and the other mission women were often in great privation and discomfort.

Meanwhile at Lac qui Parle the opposition to the mission work took the same general form as at Traverse des Sioux. This was particularly true regarding the feature of killing the mission cattle. At one season all the cattle but two cows had been killed and eaten by the Indians, and it seemed that the station would have to be abandoned for want of means of transportation.[1] To add to the troubles in March, 1846, Joseph Renville died. He had been a good and true friend of the mission for eleven years, and when he passed away the main pillar supporting the frail and unsubstantial structure had been withdrawn and Dr. Williamson, zealous and brave always, was competely discouraged.

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[1]At one time Dr. Williamson was under the necessity of hitching up milch cows to haul his wood; they were the only animals left him.—Riggs' "Mary and I," p. 349.

So in the summer of 1846, when he received an invitation from Chief Little Crow to come down and establish a school and a mission at Kaposia, where the Methodist mission had been not long before, the Doctor seemed to regard it as a divine summons to duty—"thus saith the Lord"—and at once accepted, and went. In the autumn he went to Kaposia and built the station and established himself. At this time the Pond brothers had become located at Oak Grove, a few miles west of Fort Snelling, but soon after Samuel W. Pond went to near Shakopee's village and founded a station which he called Prairieville. Mr. Hopkins and A. G. Huggins were at Traverse des Sioux, and Jonas Pettijohn, who had married Fanny Huggins, was with Dr. Riggs at Lac qui Parle.

Dr. Williamson's Kaposia mission was fairly successful. A number of Indian boys and girls attended the school and acquired the rudiments of language and a number of men learned to plow and hoe, and even to drive nails and saw boards. There was no persecution as there had been at Traverse des Sioux and Lac qui Parle, for the Chief, who had his people well in hand, forbade any unkind conduct whatever towards the "sacred men" who had come by his invitation, and then there was Fort Snelling, with its soldiers, nearby.

The little hamlet of St. Paul, with its baker's dozen of houses, was also a near neighbor, although on the opposite side of the river. Dr. Williamson considered the fort a protection, but the white man's village a nuisance to his mission, because the frontier stores sold whisky which, he believed, demoralized the Indians, and kept them proof against all efforts for their regeneration and conversion. Dr. Williamson preached one of the very first Protestant sermons delivered in St. Paul (Dr. Riggs says the first) and was largely instrumental in bringing to the place the first school teacher, Miss Harriet E. Bishop. He not only extended a wholesome influence upon the white people, but during his five or six years at Kaposia he organized a small Dakota church, composed principally of young women. When in 1853 the Indians, under the treaty of Mendota, were moved up the Minnesota, Dr. Williamson went with them, and finally died in their service.

The Indian men of Kaposia had nothing but contempt for the religion of the white men and nothing but resentment for the new manners and customs sought to be introduced among them. Joseph Na-pay-shnee-doota, (Red man who fears nothing) "the first bull-blood Dakota man baptized"[1] had come down and joined the Medawakanton band for the sake of his example upon its members. He was taken sick and his tribesmen refused him assistance, directing him to look to his new friends for help. When Dr. Turner, the surgeon at Fort Snelling, sent medicine which broke his fever and caused him to recover soon afterward, the pagan Kaposians said their medicine man could have cured him in far less time.

After a time Na-pay-shnee-doota made a sled, got a horse, bought a harness for him, and hauled his firewood, instead of following the convenient and time-honored custom of having his wife carry it. When there was a good fall of snow he put his wife and children on the sled and gave them a sleighride to Fort Snelling and back, entering the village on his return with some ostentation, while hundreds of his indignant brethren looked scornfully and scowlingly on. They told Na-pay-shnee-doota that such innovations on the Sioux customs could not be tolerated; that his wife was no better than any one of theirs nor entitled to any more of the comforts and pleasure of life. To emphasize their displeasure they killed his dog.

But Na-pay-shnee-doota persisted in his evil course. He continued to haul wood instead of making his wife carry it, and he persisted in giving her and the "chinac" an occasional sleighride, thus goading his brethren half to frenzy, so that at last they killed his horse. He was unable to buy another, and his sled and harness were useless. Then his wife had to carry wood again and she could have no more sleighrides; but her husband helped her, and indeed did the greater part of the work of caring for the household in every respect.

Little Crow steadily declined all offers of the new gospel and refused all efforts for his redemption. He would not allow

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[1]According to Dr. Williamson, in Minn. Hist. Soc. Col., Vol. 3, p. 188.

the mission people to be personally injured, and he proposed that Na-pay-shnee-doota be paid for his horse out of the annuities, but the law as to Indian annuities would not allow that. When the young chief's brother shot him and broke the bones of his arm so badly, it was the old-time medicine man that ministered to him, and under the favor of the old-time Dakota gods, as he believed, he recovered his health and strength again, and what more could the white man's doctors have done for him? Dr. Williamson labored hard with him, but to no avail. He was loyal to the gods and religion of his people and joined to his idols, so finally it was thought best to let him alone.

In the fall of 1844 the "Dakota Presbytery" was organized and Robert Hopkins and Gideon H. Pond licensed and ordained, and continued in the work. Their ordination added nothing to their zeal and industry, nor their general effectiveness among the Indians, but was in some sense a recognition of their past labors and gave them extreme satisfaction. In the summer of 1848 a strong force of recruits was received from the East in the persons of Revs. Moses N. Adams, John F. Aiton, Joseph W. Hancock, and Joshua Potter, all regularly licensed and ordained Presbyterian ministers. The latter remained but a little while, returning to the Indian Territory, from whence he had come.

Revs. Hancock and Aiton and their wives located at Red Wing's village, on the Mississippi, where the Swiss missionaries had been. They were not well patronized. A school was opened with a lot of pretty books, "reward of merit" cards, and other enticements to the little red-skins to come and be civilized, but Rev. Hancock says: "It took months of patient and persevering labor, and of bribing with cakes and raisins, to get the children into anything like regularity in their attendance at the mission school." The winter of 1849-50 was by invitation of Rev. David Lowry, spent by Rev. and Mrs. Hancock at the government school for the Winnebagoes at Long Prairie.

In the summer of 1850 Mr. and Mrs. Aiton left the Red Wing village discouraged at the utter failure of their efforts to make a single Indian Christian convert, and Rev. Hancock and

his wife returned and took up the work. Rev. Hancock came equipped with the means for securing the attendance of the Indian youths. He writes, "I bought raisins by the box, and a few, such as a child could hold in one hand, given at the close of school were almost sure to bring it next day. I had learned that regular attendance at the Government school at Long Prairie was the result of daily rations which were distributed to the children at the close of school."

A whisky seller on the Wisconsin side of the river made much trouble for the Red Wing Indians and their missionary. Rev. Hancock often seized the fire water as they were bringing it into the village, in a tin pail or a jug, and destroyed it, and though greatly displeased they never injured him for what he had done.

The treaty of Mendota in 1851 and the consequent removal of the Indians to the upper Minnesota destroyed Hancock's mission at Red Wing. White settlers began to make claims at the place in 1852, the following year the Indians left, and the missionary declined to go with them. He had taught a few to read and write Sioux and English, but he had not made a single convert to Christianity among the red-skinned Ephraims. A large majority of all the Lower Indians was opposed to the Mendota treaty, and Mr. Hancock writes:

> The Red Wing band were much opposed to any such treaty and talked over their opposition very plainly. Some of the young warriors, as it was known, declared they would shoot the first chief or head man who signed the treaty. * * * The treaty was made in spite of all the opposition. Our people came back with a discontented look. They seem from that time to have lost all interest in our labors for the children's education or their own improvement. They felt discouraged, and it was no wonder. They would soon be obliged to leave their home, where their departed friends were buried, to be henceforth occupied by strangers, and must go themselves to a strange land.

When the Indian villages were removed from Red Wing, Oak Grove, Shakopee, and Traverse des Sioux, the missionaries at these stations elected to remain with the new and fast growing white communities. Rev. J. W. Hancock organized and for many years ministered to the First Presbyterian Church at Red

Wing, where he recently died full of years, honors and distinctions. Gideon H. Pond organized the Oak Grove Church near Minneapolis, and was its successful pastor for many years. Samuel W. Pond organized and for a long period was pastor of the Presbyterian Church at Shakopee. In 1852 Rev. M. N. Adams accepted an invitation to establish a Presbyterian Church at Traverse des Sioux and St. Peter.

Only those zealous and faithful spirits Revs. Riggs and Williamson, elected to remain and labor with the Sioux in 1852. Dr. Williamson accepted a new station among the Wahpatons, a few miles above the mouth of the stream which the Indians called "Pay-zhe-hoo-ta Zee," or "Where we dig the Yellow Medicine grass roots," commonly called Pay-juta-zee by the Indians and Yellow Medicine by the whites. Miss Jane P. Williamson, the Doctor's sister, resided with her brother and taught the Indian school. Mary Spooner, a Kentucky girl, went into the family of Mr. Adams, at Traverse des Sioux, and gathered a little boarding school of Dakota children.

At the Lac qui Parle station Rev. Riggs, meek, gentle, and tender-hearted as the Beloved Disciple, undertook to labor further with the red people whom he had served so long and who had used him so illy. But he plainly told them that he would remain with them only on conditions. With great resolution he said they must no longer kill and eat his cattle; they must not beat the little girls who attended the school nor cut up their blankets and clothes; they must not fire their guns at the church when divine service was in progress; they must not force the mission people to give them provisions and supplies whenever asked for; they must not try to collect pay for common firewood, but for building timber they were to be paid a fair price. These harsh terms and rigorous restrictions were accepted by the Indians, because they found it desirable to have the mission people at their village and was of many advantages to them in more ways than one. Lucy Spooner, Mary's sister, afterward Mrs. Drake, was the school teacher.

March 3, 1854, the mission houses at Lac qui Parle, with the exception of the small adobe church, were all burned to the

ground and nearly all their contents destroyed. The people were forced to take refuge in the little church for some time. The incident brought out the sympathy of the Indians, who were very kind to Dr. Riggs and his associates, "bringing us what they could," says the doctor. "Mr. Martin McLeod the trader, sent us blankets and other things to meet the present necessity, partly as a gift and partly to be paid for. In a few days Dr. Williamson came up from Pay-zhe-hoo-ta Ze with further supplies; and all through the spring and summer, as our friends in the East heard of our loss, boxes and barrels were sent for our relief. It did us good to know that we had so many true-hearted friends."[1]

In the summer of 1854 a new station was built within two miles of Dr. Williamson's at Yellow Medicine, and called at first New Hope and afterwards Hazelwood. A saw mill with a circular saw was put in operation and furnished the lumber for a chapel and boarding school which were built in 1855. The Indians themselves contributed a respectable sum toward the building of the chapel which cost $700. In the course of a few years numerous Indian and mixed-blood families were living in houses built from lumber sawed by the Mission mill. Finally under certain treaty provisions, the Government began the erection of brick houses for the Indians.

"We now had," says Dr. Riggs, "such a respectable community of young men who had cut off their hair and exchanged the dress of the Dakotas for that of the white man, and whose wants now were very different from the annuity Dakotas generally that we took measures to organize them into a separate band, which we called the Hazelwood Republic. They elected their president and other officers for two years, and were recognized by the Indian agent as a separate band of the Sioux. A number of the men were half breeds, who, by the organic law of Minnesota, were citizens."

In 1856 the boarding school of the "Hazelwood Republic" went into operation and for two years was conducted by Miss

[1] "Mary and I." P. 128.

Ruth Pettijohn and Mrs. Anna B. Ackley, and afterwards by Mr. and Mrs. H. D. Cunningham. Miss Eliza Huggins and Isabella B. Riggs were also teachers. Counting the boarding school scholars in Mr. Riggs's and Dr. Williamson's families and in the school the total number at Hazelwood averaged about twenty. They came and went as they pleased. When first coming to the school they were suitably clothed, and often, as soon as they had been well dressed and given a nice blanket, they ran back to the tepees of their parents. Mrs. Riggs took the daughter of Eagle Help, Mr. Riggs' famous Bible reader, into her family, but after she had been washed and "dressed up" she stayed only a month and then ran away. The Pond brothers had some Indian children in their families; Dr. Williamson had a lot of them; and Mr. and Mrs. Adams at one time had a boarding school with half a dozen scholars at Lac qui Parle.

The majority of the Indian girls and women, like their fathers and brothers, did not desire to become christianized or civilized, although all of them could see that Christianity and civilization were best, for the Indian women at least. They preferred to be hewers of wood, drawers of water, and bearers of burdens for the men, to join in the "medicine" dance with them, and to lead the toilsome and cheerless lives of their mothers and grandmothers. The true pagan Sioux woman took real pride in her abject servitude. She would almost sink with mortification if she saw her husband putting up the tepee or cutting firewood, and she would weep in sorrow and shame if he had to cook his own meals or do any other "woman's work." She believed in the Dakota heathenism, of course, and her conservatism was against any change in religious belief for any reason; but her chief objection to Christianity seemed to be that it would lead to degrading habits of industry on the part of her husband, and to adopting the indolent practice of the white women in her own case. The missionaries found them as difficult to convert as were the Dakota men.

Meanwhile, as has been stated, the mission people had lost three of their number by accidental death. July 15, 1845, Thomas L. Longley, was drowned in the Minnesota at Traverse des Sioux,

and July 4, 1851, while the famed treaty was in progress, Rev. Robert Hopkins met a similar fate at the same place. March 3, 1856, Smith B. Williamson, a young son of Dr. T. S. Williamson, was run over by the mission sled at Lac qui Parle station and his young life crushed out. The blood of the martyrs has always been the seed of the church.

Very soon the members of the Hazelwood Republic gave good account of themselves. Of the four female captives taken by Ink-pa-doota's band at the Spirit Lake Massacre, in March, 1857, Mrs. Marble and Miss Gardner, were rescued by the Hazelwood Indians, who had learned humanity from the Bible as taught and expounded by the missionaries. John Other Day, of the mission, rendered efficient aid to Agent Flandrau in executing summary justice on a son of Ink-pa-doota that had the nerve to come to the Yellow Medicine settlement during the summer of 1857.

At St. Paul, September 8, 1858, the Synod of Minnesota was organized, consisting of the Presbyterians from Dakota, Minnesota, and Blue Earth. One-third of the twenty-one ministers present were or had been missionaries among the Sioux. Dr. Williamson, as the oldest minister, preached the sermon, giving a minute account of the trials, toils, and sacrifices, as well as the bright incidents of the attempts to establish the gospel among the Dakotas.

One of the deacons of Hazelwood was Simon Anahwangmanne, a Wahpaton, who had been snatched as a brand from the burning, but sometimes caught fire again. He had been very zealous and devout after his conversion, as converts often are, but a year or so after his regeneration his cousin was ruthlessly murdered by a bad Indian who became a fugitive and ran off to Ink-pa-doota's band. In a few months, however, he returned to Lac qui Parle. A day or two later the missionaries saw Simon busily engaged in putting his gun in order.

"What are you going to do, brother?" inquired Dr. Riggs.

"You know that a good while ago my cousin was killed by a bad man," replied Simon. "The bad man has just come back. My cousin had no brothers, so I, as his cousin must go and kill

his murderer to avenge him, for this is Indian law, you know."

"O, brother Simon," exclaimed the missionary in horror, "do not even think of doing so wicked a thing. It would be a great sin."

"Yes, but you see he killed my cousin," returned Simon, with confidence in the justice of his case.

"That was bad, brother Simon, but you know the Lord says 'Vengeance is mine, and I will repay;' you must not take vengeance yourself."

"Yes, but you see *he killed my cousin.*"

"That is true, but if you kill him it will be another sin. Besides you are a deacon in our church; think of the bad effect your example may have."

"Yes, but you see *he killed my cousin.*"

And no argument could move him from his position. He put his gun in order, went out upon the trail of vengeance, killed the murderer of his kinsman on sight, returned to Hazelwood and his deaconhood quite contented, and the church passed over the incident in silence.

Chapter XXI.

SWISS AND METHODIST MISSIONS.

THE SWISS MISSION AMONG THE SIOUX.

THE missionary spirit among Christians exists wherever there are congregations. In the United States this spirit is especially rife. So strong is it that numbers of Protestants have been moved to send missionaries to Mexico, and to Venezuela, Ecuador and other Spanish American countries, where the people are all Christians. Occasionally, in time past, Europeans have felt it their duty to send missionaries to the United States, and one of their missions was in Minnesota.

In 1836 a Protestant missionary society at Basle, Switzerland, appointed two young ministers, Revs. Daniel Gavin and Samuel Denton, as missionaries to the Indians of North America. They selected "the land of the Dakotas" as their field of labor. Both were unmarried when they reached the Northwest, but before commencing his active labors Mr. Denton married Miss Persis Skinner, who had for several years been in service in the mission school at Mackinac. Three years later Mr. Gavin, married Miss Lucy C. Stevens, of Lake Harriet. Both Denton and Gavin were French Swiss and Presbyterians.

The Swiss mission was at first located at Trempeleau, on the Mississippi, near the present site of Winona, and its field of work was Wabasha's Prairie, whereon were the Sioux of the old Red War Banner's band. But in 1837, finding the Sioux of that band too hard and stubborn to work upon, Mr. and Mrs. Denton removed to Red Wing's village, at the head of Lake Pepin, some

eighty miles above Trempeleau. The Indians called the place Khay Minne Chan, the three words signifying respectively, hill, water, and wood,[1] but the whites knew it better as the site of the village of old Hkoopah Doota, or Red Wing. The missionary people called the station Lake Pepin. Mr. and Mrs. Gavin soon joined the Dentons, but Mr. Gavin spent the winter of 1838-9 at Lac qui Parle, with Williamson and Riggs, engaged in translating Sioux and in other missionary work.

The work done by the mission at Red Wing was of some practical value. Some of the Indians were taught to read and write, and many of them learned farming and gardening. In July, 1838, Mrs. Denton, writing to Sibley, said:

> The Indians have planted something more than thirty acres of corn; also some vegetables, all of which are growing finely. They are now in excellent humor, and have about given up the practice of begging from us.
>
> Many thanks for your prompt attention to our call for seeds. Could you see how finely they are growing in our beautiful garden, I am sure you would be glad with us. Indeed, you can hardly imagine what wonderful improvements have been made at our village since you were here. You must know also that, among many other mercies which I enjoy, I have at length a friend with me—a Miss Blakesly, from the vicinity of Cooperstown, New York. I know you will rejoice at this as you know how much I needed assistance.[2]

At this time, according to Major Taliaferro's report to the Commissioner of Indian Affairs for 1839, the entire Wah-pa-koota band, of which Red Wing's sub-band was a part, numbered in all but 325, and a majority of these were on the Cannon and Blue Earth Rivers and "mixed lakes," Red Wing's band numbered probably not more than one hundred souls. The missionaries made but few converts, but among them was Enah-manne, (Walking Among) who was subsequently licensed as a minister and in 1880 was pastor of the Santee (Neb.) Agency Mission Church.

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[1]Although paha is the common Sioux name for hill.

[2]Mrs. Persis Denton to Sibley, July 11, 1838; unpublished manuscript, Sibley Papers, 1830-40.

The Denton and Gavin families lived and labored at Red Wing until in 1845, when the continued ill health of Mrs. Gavin, (who was but sixteen years of age when she was married, at Fort Snelling) compelled her and her husband to seek a warmer climate. They went to Lower Canada, where they labored with great success for the conversion of French Catholics to Protestantism until Mr. Gavin's death, in 1859. Mr. and Mrs. Denton remained at Red Wing until in 1849, when they were compelled to leave by reason of Mr. Denton's protracted ill health. They located in Missouri, where Mr. Denton died in 1851.

The mission station at Red Wing is remarkable from the fact that it was established, and maintained for nearly fourteen years by Europeans, the members of a Calvinistic church at Basle, Switzerland. It never, as it seems, passed under the control of the American Board, and was the only Protestant mission of the kind ever established and maintained in the Northwest. Americans have generally believed that they were not only capable of looking after their own heathen, but were able to evangelize the outer world "from Greenland's icy mountains to India's coral strand." Minnesota-born missionaries have served in the mission fields of China, Japan, and India, and some of them have died at their posts in those remote regions.

METHODIST MISSIONS AMONG THE SIOUX AND CHIPPEWAS.

In the summer of 1835 Rev. Alfred Brunson, of the Pittsburg Conference of the Methodist Episcopal Church, received an appointment as missionary to the Indians of the Northwest and at once set out for his field. He rode on horseback through the States of Ohio, Indiana, and Illinois and up to Fort Crawford, at Prairie du Chien. A year after his arrival his family joined him, but too late to go to the Indian country that year, and so the following winter was passed at Prairie du Chien.

But meanwhile Mr. Brunson was not entirely idle, but made all possible preparations for his prospective duties. A good in-

terpreter was necessary for his work among the Sioux, with whom he had determined to labor. Learning that James Thompson, a negro slave with a Sioux wife, and owned by an officer of the garrison at Fort Snelling, could be purchased for $1,200, he wrote to friends in the East to raise and send on the money. Thompson, it was said, could speak the Sioux language fluently and was, moreover, a devout Christian. It was a time when the anti-slavery sentiment was running high in Ohio, and many of the old-time abolitionists were only too glad to contribute to a fund to "deliver a fellow-creature from bondage," and to obtain for Jim Thompson his freedom, that he might serve the Methodist church in giving the gospel to the benighted Sioux nation. The money was soon raised and sent on and the negro was purchased and duly set free. But the investment was a very poor one. Says Rev. Riggs, in narrating the incident:

> No doubt this transaction had a good result in keeping the anti-slavery fires burning brightly in Ohio, but as a missionary venture it was an act of very doubtful utility. So it appeared to us of the Presbyterian mission. Thompson was a very indifferent interpreter and not a reliable man, so was dismissed from the mission.

Really Thompson was a sort of fraud. His pretensions as a Christian were hypocritical. He was very immoral and liked whisky and Indian women, without regard to the quality or character of either. He spoke poor Sioux and worse English and was unintelligent and ineffective.

After his dismissal Thompson took his Indian wife and children up to the east bank of the Mississippi, opposite Fort Snelling, where he opened a shop, for the covert and illegal sale of whisky to the soldiers, the Indians, or whoever would buy. His place was raided a dozen times; finally he went down to the settlement at St. Paul's, where he lived in 1850. Some of his descendants yet live in Minnesota.

After consultation with Agent Taliaferro and Lieutenant Colonel Davenport, the latter then commandant of Fort Snelling, and looking carefully over the field, Elder Brunson decided to locate his first mission station at Kaposia, the Indian village of Chief Big Thunder. This village was located on the west bank

of the Mississippi, about four miles below St. Paul, where is now the site of a great packing industry. The then chief of the Kaposia or "light" band, gave the Christian emissaries a cordial welcome, readily granted them land on which to erect their buildings, and promised that they should have nothing but the most respectful treatment from the Indians.

In May, 1837, Elder Brunson took with him to Kaposia, David King, a teacher, and his family; a "farmer" to show the Indians how to cultivate the soil; Jim Thompson, the negro interpreter, and a hired man of all work. Missionary buildings of log were soon erected and the work was begun. Big Thunder urged his people to listen to the counsels of their new friends. He sent some of his children to the mission school, but princes and princesses are often impatient of restraint and hard study, and those of Big Thunder made but little progress. Ta-O-yah-te Doo-tah, never went to a mission school a day in his life. He could have said of his early career, with the poet:

"My only books were women's looks,
And folly's all they've taught me."

On a return trip from Prairie du Chien with supplies Elder Brunson brought with him three young Chippewas, George Copway, John Johnson and Peter Marksman, who had been converted in Canada, but had been at work among their brethren in Wisconsin. They assisted in the work of the Red Wing mission during the summer and fall of 1837, being never in danger from the old time enemies of their tribe, who treated them ever kindly, saying that they had ceased to be Indians and had become Frenchmen, for they worked hard in the corn fields and gardens and seemed to like it. Elder Brunson had his three converts at Fort Snelling when the Dodge treaty of 1837 was made, and they made a good impression.

In the fall of 1837 Rev. T. W. Pope and Rev. James G. Whitford, with a lay member named Hiram Delap, were added to the force of workers at Kaposia. The winter of 1837-38 was spent comfortably. The school prospered and many of the Indians learned to read and write English, for this school would

teach nothing but that language. Other mission schools taught an Indian language, or both Indian and English, but David King said that English would finally become the universal speech of the savages, and might as well be learned first as last, and Superintendent Brunson agreed with him. Chief Big Thunder tried to induce the missionaries to teach his people to read and write their own language, as the Pond brothers were doing, but the "sacred white men" refused.

In the spring of 1838 Mr. Brunson, as superintendent, visited the mission and found it flourishing, in a material sense. More than one hundred acres had been plowed for the Indians, to their great satisfaction. A number of them were speaking broken English, and reading and writing it too. But there had been absolutely no converts made, and but very few of the Indians had manifested any interest in the subject of their conversion.

At this time the war spirit was pervading the Kaposia village. The news had been reached of the cruel, cowardly murder of the Lac qui Parle Sioux, on the Upper Minnesota, by Hole-in-the-Day and his fellow Chippewas, and everybody, from the chief to the boy with his first bow and arrow, was laying for revenge. But in the face of all forboding circumstances Mr. Brunson, with only three other white men and a half-blood interpreter, started, in the last days of June, for the Chippewa country of the Upper Mississippi to visit old Hole-in-the-Day and arrange for the establishment of a Methodist mission among the Ojibways.

The party reached Crow Wing, the village of Chief Hole-in-the-Day, while a council between the Indians on one side and Miles Vineyard, the Chippewa agent, and Peter Quinn, his interpreter, was being held on an island in the Mississippi. The subject of discussion was the wretched Sioux woman who had been carried into captivity at the time of the treacherous murders in the Lac qui Parle district. Vineyard and Quinn had been sent up to procure her release and restoration to her people. Brunson was a valued reenforcement to them in aid of the project. The whites argued strenuously on the side of mercy and

humanity. Vineyard stretched the truth by saying that 700 Sioux were on the war path against Hole-in-the-Day's small band to recover their countrywoman.

A majority of the Chippeways were ashamed of the cruel, cowardly murders, and practically all of them favored the restoration of the poor captive. At last Hole-in-the-Day alone was opposed, solely, as he said, because he hated the Sioux. Brunson described the Chief at this time as "the dirtiest, most scowling, and most savage looking man in the crowd," but he was the most eloquent and ablest. Finally he consented to give up the captive, and even to deliver her himself, but he said he would do so solely for the sake of Agent Vineyard and the other white men. The woman was then given to Vineyard and Quinn, who took her to Fort Snelling. The incident established the popularity of Brunson among the Sioux and gained for him and his mission station the good opinion of everybody.

In August Elder Brunson, with Whitford and Randolph, started for Lac Court Oreilles, in North Wisconsin, but after a few days' march up the St. Croix some Indian dogs ate up their meat and they were forced to return. They got back just in time. During their absence Hole-in-the-Day, with a few companions had come down to Fort Snelling, and one of them had been shot by the Sioux and in turn the Chippewas had shot two Sioux, and all the Dakota bands had risen for vengeance.

To keep the Chippewas from being slaughtered Major Plympton, the commander, gave them shelter and sanctuary within the walls of the Fort. Whereupon the Sioux swarmed about the post in great rage, threatening to storm the Fort, cutting down all who opposed them, and to scalp Hole-in-the-Day and his men on the parade ground. "What right has our father to protect our enemies when they have wronged us, when he will not shield us when we have struck them? The cowardly murderer of our people is being shielded by the soldiers; we will take him from them, and they who oppose us will be in great danger." So spoke the Sioux in plain hearing of the garrison, and there was great alarm and commotion among all the whites of the district.

The people of the Kaposia mission were greatly disturbed by the storm of excitement, and began packing up to leave for Prairie du Chien. They had a large bark canoe half filled with their goods, when Chief Big Thunder induced them to turn back and place themselves under his protection, assuring them that he would keep them safe. He placed his son, Tah O-yah-te Doota, then a young man of twenty, in charge of a strong guard about their house, and bade them rest in peace. The next day Elder Brunson, Whitford, and Randolph returned, driven back by the ravenous attacks of the Chippewa dogs on their bacon. That night the terrorized mission people had a prayer meeting over the situation, and concluded to trust in Providence and Little Crow, and so lay down to sleep. But Elder Brunson went out to see the scalp dance and did not go to bed until midnight!

In a few days Major Plympton slipped Hole-in-the-Day and his men out of the Fort and sent them home. The excitement soon died out, the whites were no longer fearful, and their affairs went on as before the alarm.

In the fall of 1838 Hiram Delap and Witt Randolph retired from the mission, leaving Rev. Pope solely in charge. Now it seemed that the Kaposia station had been a complete failure. It had existed for more than two years; those in charge had labored with all the zeal and fervor common to Methodists; the Indians had listened to them respectfully and patiently, and yet not a single convert to Christianity had been made. The kind-hearted chief and all his people remained pagans. They had learned the way to plow but not the way to the Cross. A number of children had been taught the English alphabet and a few English words, while many girls had learned to knit and sew, but there were no Christian converts and no inquiries after salvation.

Under these discouraging circumstances the good Methodists of the East determined to discontinue the mission. It did not pay. They seemed to consider an Indian mission as a field wherein seed sown in the spring would produce a crop in the fall, or at least in two years, and they complained at the great expense they had incurred without any results. But the mission

interests induced the general conference of the church to interfere in their behalf with the mission board, with the final result that the station was ordered continued for a time, though the missionaries were warned that results were desired—that a harvest must be reaped and sheaves brought in.

In the summer of 1839 Rev. Pope resigned from the mission and Elder Brunson from the superintendency, both because of protracted ill health. Revs. B. F. Kavanaugh and John Holton were appointed in the place of Rev. Pope, and Rev. Kavanaugh proceeded at once to his post, taking with him the Revs. Samuel Spates,——Huddleston, John Johnson, and Peter Marksman, the two latter native Chippewas. With these four Rev. Kavanaugh at once went up the Mississippi and established a mission at Elk River, on the east bank of the Mississippi, among the Ojibways. Here, December 30, 1839, Rev. Huddleston died of dysentery and was buried on the crest of a hill overlooking the Mississippi River. He was the first missionary martyr in Minnesota, but his name and services have never been sufficiently honored. It is recorded that Chief Hole-in-the-Day, the bloody minded, who lived and died a pagan, cast a heap of stones on the good missionary's grave. "I do this," said the Chief, "to mark the place where lies the good man who came to bless us."

In the fall of 1840 a new mission to the Chippewas was established at Sandy Lake under charge of Rev. Samuel Spates. In the following winter the station at the mouth of Elk River was removed to Rabbit River. The Sioux had so frequently threatened Hole-in-the-Day's village and had their war parties constantly near its site that the Chief, brave as he certainly was, thought best to move away from Elk River, and when he and his people had left there was nobody for the mission people to preach to, and they had to leave too.

The Rabbit River station was not maintained very long. Upon its abandonment stations were set up at White Fish Lake and Fond du Lac of Lake Superior.

In July, 1841, all the Methodist missions among the Chippewas were reduced to three. That at Sandy Lake was in charge of Rev. Samuel Spates and Rev. H. J. Bruce; that at White Fish

Lake was in charge of the Chippewa preacher, John Johnson, while the other Chippewa, Rev. George Copway, had charge of that at Fond du Lac, with his wife and her sister and James Simpson as teachers. The Sandy Lake station had a school with thirty scholars, but no Indian converts to Christianty were reported, and in a few years all of the mission stations and all attempts to make Methodists of the Chippewas were abandoned by the general conference.

One acquisition in the way of converts which was important in its nature was made by Elder Brunson, in the second year of his work. This was the convertion to genuine Christianity of Jacob Falstrom and his family. As a Swedish boy Falstrom had drifted to Selkirk's settlement, on Red River, many years before. In time he married a half-blood Chippewa woman and by her had several children. Not long after his regeneration Falstrom was licensed by the Methodist authorities to preach. As he spoke Chippewa fluently he was made a missionary to his wife's people and served faithfully for several years.

Falstrom was born in Stockholm, July 25, 1793. He came to Hudson's Bay when a boy of fourteen, later he joined the Selkirk colony. He became a trader for the American Fur Company, and had a post at the mouth of the Minnesota, ten years before Fort Snelling was built. In 1840 he settled at Lakeland, Washington County and became the first Scandinavian settler in Minnesota. In 1850 he removed to Valley City and died in July, 1859.

The Methodist mission at Kaposia was much disturbed by war parties in the spring and summer of 1841. The Chippewas were constantly menacing the Sioux and Big Thunder frequently sent out scouting and war parties. These incidents served to distract the minds of the people and turn them away from religion and education. At last the Chief ordered the school closed. It did no good, he said, while there was so much excitement. When the Chippewas were driven off and properly punished the school might open again.

Over on the north side of the river, at the great Red Rock, Rev. John Holton settled, having retired from the mission because

of the harsh manner in which he had been treated. In spite of Big Thunder's efforts to control them the Kaposia Indians became very insulting and annoying to the missionaries. Rev. Riggs thought this was because the missionaries themselves had been foolishly kind to the Indians, giving them every thing they asked for and surrendering dignity and even manhood. Often the men of the mission rose from their beds late at night to feed from their scanty stores strolling and vagabond Indians.

The annoyances became so frequent and so vexatious that Big Thunder advised, and the missionaries readily consented, that the station be removed. Accordingly Elder Kavanaugh put up buildings on the Red Rock prairie (four miles below St. Paul) where a school for half-blood and white children was maintained for many years. A church organization was also kept up and services held regularly for several years. Red Rock was therefore the starting point of Minnesota Methodism.

A large and somewhat remarkable reddish stone which gave the name to the prairie and the mission station was "Waukon" or a sacred thing to the Sioux. They knew it as the Tukan Sha, or the red sacred stone. It was supposed to be the dwelling place of a spirit of great power and character. Adoration was paid to it and veneration and reverence felt for it. White men know it only as a large drift boulder, whose surface the Indians were wont to paint with red ochre. Professor Winchell says of it:

> The rock itself is a boulder of granite originally light colored, but stained with the Indians' red paint, and more recently girdled by successive belts of bright vermilion with oil and lead. On the end lying away from the river is a representation of an Indian's head surmounted by eagle's feathers. It lies within 35 or 40 feet of the river on an outcropping ledge of Shakopee limestone.

The Red Rock mission was established in the summer of 1841, with Rev. B. F. Kavanaugh as its head. Assisting him was Rev. John Holton. Other members of his force were Wm. R. Brown, Charles Cavalier, Miss Julia Boswell, and Mrs. Martha Boardman, the women being teachers. Cavalier was Ohio born and of remote French ancestry. He became prominent in public affairs and a county in North Dakota was named for him. He died at Pembina in August, 1902.

The school at Red Rock was the important part of the mission, for here several Indian children learned to read and write. The preaching was ineffective, for practically no converts were made. Methodist Indians are yet very rare in Minnesota. The majority of the attendants at both school and church were mixed bloods and whites; very few full blood Indians were patrons.

There were still annoyances from the Kaposia Indians. In September, 1842, the Chippewa attack on the Sioux of Kaposia—or those of them on the east or north side of the river—occurred within gunshot of the mission and threw its inmates into consternation and panic. The battle of Kaposia, as it has been called, did much harm to the mission, and perhaps caused its abandonment. The Sioux, who were its chief patrons, were afraid of another sudden foray of the Chippewas.

But the mission did an important work for Minnesota. The mission people and others who had been attracted to them opened farms, and their experiments and experiences demonstrated the agricultural possibilities of the country and that farming could be made a success here as elsewhere.

Chapter XXII.

INDIAN TREATIES.

SIOUX FIRST VISIT TO WASHINGTON.

IN the spring of 1824 the first delegation of Sioux Indians went to Washington to see their "Great Father," the President. A delegation of Chippewas accompanied and both were in charge of Major Taliaferro. Wabasha (then properly called Wa-pa-ha-sha) the head chief of the Sioux, and Little Crow (the Walking Hunting Hawk) and Wahnatah (the Charger) sub-chiefs, were the principal members of the Sioux delegation. The object of the visit was to secure a convocation of all of the Upper Mississippi Indians at Prairie du Chien to define the boundary lines of the lands claimed by the respective tribes and establish general and permanent friendly relations among them. The party went in keel-boats from Fort Snelling to Prairie du Chien, and from thence to Pittsburg by steam-boat.

When the Sioux delegation reached Prairie du Chien Wabasha and Wahnatah had become disaffected, "by the whisperings of mean traders," and wanted to turn back. But Little Crow rose and stoutly said: "You can do as you please. But I am no coward, nor can my ears be pulled about by evil counsels. We are here and should go on and do some good for our nation. I have taken our father here (Taliaferro) by the coat tail and I will follow him until I take by the hand our great American Father."

The party then resumed the journey, arrived safely at Washington and accomplished the object of their visit. The result

was the Treaty at Prairie du Chien, in August of the following year. One unpleasant incident occurred en route. Mahkpeah, (the Cloud) a "head soldier" of the Sissetons, abandoned the party. While aboard the steam-boat on which the Indians were ascending the Ohio River, he had "a bad dream" which impelled him to go no farther away from his people. He jumped from the stern of the boat into the river and it was supposed he drowned instantly. But he swam ashore and somehow continued to make his way to the Missouri River above St. Clarles, where he was killed by the Sacs of Pashepaho's band, known as the Sacs of the Missouri.

The Sioux returned home by way of New York, and while in that city visited several persons of prominence and points of interest under the escort of their kinsman, William Dickson, a half-blood son of Colonel Robert Dickson, the red-haired trader who organized and led the Northwestern Indians against the Americans in the War of 1812.

Little Crow brought home with him a fine new double-barreled gun, which, he said, a "white medicine man" had given him for signing a certain paper. Moreover the sacred personage had promised to send a keel-boat full of goods to the Kaposia band, of which Little Crow was the Chief. The "medicine man" (or holy person) was Rev. Samuel Peters, an Episcopal clergyman, who had been a noted Tory during the War of the Revolution. He asserted that in 1806 he had purchased from the heirs of Captain Jonathan Carver the right to the "Carver tract" of land, in what is now Southeastern Minnesota. His present and the somewhat munificent one promised Little Crow were doubtless intended to suborn the chieftain in the clergyman's interest.

The following year there arrived at Fort Snelling, by keel-boat from Prairie du Chien, a box marked for Colonel Robert Dickson, and containing a few presents for "the Red Headed Scotchman's" Indian wife. There was also a long letter on the subject of the "Carver grant" and a copy of the grant written on parchment.

PRAIRIE DU CHIEN TREATY OF 1825.

Hoping that much good might result from well defined and firmly respected boundary lines between the Northwestern Indian tribes, the Government, in 1825, ordered a treaty between them and the United States to be held at Prairie du Chien.

The parties met August 19. There were present on the part of the United States Governor William Clark, of Missouri, and Governor Lewis Cass, of Michigan Territory. There was a grand Congress of the Indians, including the Sioux (or Dakotas) the Ojibways, Sacs and Foxes, Menomonies, "Ioways," Winnebagoes, and Ottawas. The leading chiefs and "head men" of all these tribes were present, some of them having come hundreds of miles.

After a protracted discussion it was finally agreed between the Dakotas and the Ojibways that the line dividing their respective countries should commence at the Chippewa River, "half a days march below the falls," and from thence to the Standing Cedar River, "a day's paddle above the head of Lake St. Croix;" thence between two lakes—called by the Ojibways "Green Lakes" and by the Dakotas, "the Lakes of the Buried Eagles"—to "the Standing Cedar That the Dakotas Split;" thence to Rum River crossing at the Choking Creek, "a day's march from its mouth;" thence to "a point of woods that projects into the prairie, a half day's march from the Mississippi;" thence, in a straight line, to the mouth of "the first river above the Sauk;" thence "up that (first) river to a small lake at its source;" thence to "a lake at the head of Prairie River," a tributary of the Crow Wing; thence to the "portage of Otter Tail Lake;" thence to the outlet of said lake; thence to the Buffalo River, midway between its source and mouth, and then down said river to the Red River of the North and down the Red River to the mouth of "the Outarde" (Turkey or Goose Creek).

The eastern boundary of the Sioux territory was to commence on the east bank of the Mississippi, opposite the mouth of the "Ioway" river, running back to the bluffs and along the bluffs to

the Bad Ax River; thence to the mouth of Black River, and thence to "half a day's march" below the falls of the Chippewa.

The boundary points were certainly, in some respects, quite indefinite, and whether this was the trouble or not, at all events it was but a few months after the treaty when it was evident that neither Dakotas nor Ojibways were willing to be governed by the lines established—and hardly by any others.

The first article of the treaty provided: "There shall be a firm and perpetual peace between the Sioux and Chippewas; between the Sioux and the confederated tribes of Sacs and Foxes; and between the Ioways and the Sioux." But this provision was more honored in the breach than the observance, and in a little time the tribes named were flying at one another's throats and engaged in their old-time hostilities.

On the part of the Sioux the treaty was signed by Chiefs Wabasha, Little Crow, Standing Buffalo, Sleepy Eye. Two Faces, Tah-sah-ghee, or "His Cane," Black Dog, Wah-ah-na-tah or "the Charger," Red Wing, Shakopee, Penishon, and Eagle Head, and by a number of head soldiers and "principal men." The Chippewa signers were Shingauba Wassa, the first head chief of the nation, who lived at the Sault Ste Marie, Gitche Gaubow, the Second chief; Wis Coup, or "Sugar," Hole-in-the-Day, and a number of sub-chiefs and "principal men."[1]

THE CASS TREATY OF FOND DU LAC.

As the Ojibways were scattered over a great extent of country it was agreed at the Prairie du Chien treaty that they should be convened that year (1826) on the shores of Lake Superior for a special treaty. The place selected was Fond du Lac. Lewis Cass and T. L. McKenny were appointed the commissioners on the part of the United States. This was the first formal Indian treaty on the soil of Minnesota.

July 28, with flying colors and martial music, the United States Commissioners, in their barges, approached the big trad-

[1]Indian Treaties, U. S. Statutes at Large, Vol. 7, p. 276.

ing station at Fond du Lac. For the first time the Indians of that region heard the strains of Hail Columbia and Yankee Doodle, and for the first time many of them saw the flag of the stars and stripes. The council met August 2, and was in session for several days. Among the Indians in attendance was an old Ojibway woman from Montreal River. She wore around her neck her husband's British medal, and instead of wampum, as she was very poor, she laid on the treaty table some grass and porcupine quills. In presenting them she said, "I come in the place of my husband. He is old and blind, but yet he has a mouth and ears and can speak and hear. He is very poor, and he hpes to receive a present from his American father." (Always "a present, a present! Give me, give me!")

After the usual feasting and speechmaking, and the necessary patient listening and long suffering generally, the treaty was concluded and signed August 5 and ratified by the Senate in February following. By one article the Ojibways fully disclaimed all connection with Great Britain and acknowledged the authority of the United States. A number of British medals were surrendered. The Ojibway bands of Minnesota represented at the treaty were the River St. Croix, Rainy Lake, Sandy Lake, Leech Lake, Snake River and Crow Wing bands.

SECOND TREATY OF PRAIRIE DU CHIEN.

In 1830 a second treaty with the Northwest Indian tribes was held at Prairie du Chien. A few weeks previous to the convocation, which was begun July 15, a party of Wabasha's band of Sioux and some Menominees ambushed a party of Fox Indians some twelve or fifteen miles below Prairie du Chien and killed eight of them, including a subchief called the Kettle.

The Foxes had their village near Dubuque and were on their way to Prairie du Chien to visit the Indian agent, whom they had apprised of their coming. They were in canoes on the Mississippi. As they reached the lower end of Prairie du Pierreaux they paddled up a narrow channel which ran near the eastern shore, where their concealed enemies opened fire. The Foxes

returned to their village, bearing their dead, while the Sioux and Menominees went home and danced over their victory. A few weeks previously the Foxes had killed some of Wabasha's band on the Red Cedar River, in Iowa, and the Sioux claimed that their part in the Prairie du Pierreaux affair was taken in retaliation for the Red Cedar affair. In June of the following year a large number of Menominees were camped on an island in the Mississippi, less than a half a mile from Fort Crawford and Prairie du Chien. One night they were all drunk, "men, women, and children." Two hours before daylight the Dubuque Foxes took dreadful reprisal for the killing of their brethren at Prairie du Pierreaux. Though but a small band, they crept into the Menominee encampment, fell upon inmates, and in a few minutes put numbers of them to the gun, the tomahawk, and the scalping knife. Thirty Menominees were killed. When the entire Menominee band had been aroused the Foxes, without having lost a man, retired, crying out in great exultation that the cowardly killing of their comrades at Prairie du Pierreaux had been avenged.

Because of the Prairie du Pierreaux affair the Foxes at first refused to be present at the treaty of Prairie du Chien, but finally came. Delegates were present from four bands of the Sioux, the Medawakantons, the Wapakootas, the Wahpatons, and the Sissetons, and also from the Sacs, Foxes, and Iowas, and even from the Omahas, Otoes, and Missouris, the homes of the last three tribes being on the Missouri River.

At this treaty the Indian tribes represented ceded all of their claims to the land in Western Iowa, Northwestern Missouri, and especially the country of the Des Moines River valley.

The Medawakanton Sioux, Wabasha's band, had a special article (numbered 9) inserted in the treaty for the benefit of their half-blood relatives:

> The Sioux bands in council have earnestly solicited that they might have permission to bestow upon the half-breeds of their nation the tract of land within the following limits, to-wit: Beginning at a place called the Barn, below and near the Village of the Red Wing chief, and running back fifteen miles; thence, in a parallel line, with Lake Pepin and the Mississippi about thirty-two miles, to a point opposite

Beef or O'Boeuf River; thence fifteen miles to the Grand Encampment, opposite the river aforesaid—the United States agree to suffer said half-breeds to occupy said tract of country, they holding by the same title, and in the same manner that other Indian titles are held.

Certificates (or "script") were issued to many half breeds, and there was much speculation in them and litigation over them in subsequent years. In time "Lake Pepin" half breed script became, in many instances very valuable to the holders.

The Sioux also ceded a tract of land twenty miles wide along the northern boundary of Iowa from the Mississippi to the Des Moines; consideration $2,000 in cash and $1,200 in merchandise.

On the part of the United States the treaty of Prairie du Chien of 1830 was signed by Governor William Clark, Superintendent of Indian Affairs, and Colonel Willoughby Morgan, of the First Regular Infantry. The Minnesota Indians that signed it were these:

Medawakantons—Wabasha, head chief; Little Crow, and Eagle Head, sub-chiefs; Fears Nothing, Fire Owner, Floating Log, the Bow, Shoots at Yellow, Bites His Enemy, Early Riser, His Day, Big Thunder, Red Road, the Older, Walking Pine, the Mountain, Iron Cloud, Half Face, and Dancer, head soldiers and principal men.

Wapakootas—French Crow, chief; Moving Shadow, Gray Man, Pays for Land, Lightning Maker, Walking Iron, Flies on the Land, Walking Bell, and The Menominee, head soldiers and principal men.

Sissetons and Wahpatons—Sleepy Eye, sub-chief, and Groans When Walking, head soldier.

The treaty was approved by the Senate in February, 1831.

WABASHA'S BAND MAKES A TREATY.

September 10, 1836, Wabasha's band of Sioux made a treaty at Prairie du Chien with Colonel Zachary Taylor, then acting Indian agent, for the relinquishment of the Sioux claim to a considerable portion of what is now Northwest Missouri. Under

the treaty of 1830 the Sioux were admitted to have some claim on the territory in question, notwithstanding they never had made, and in all probabilities never would make, a moccasin track upon it. By the Taylor treaty the Sioux cession was virtually a quit claim deed to the lands, the consideration being "presents to the amount of four hundred dollars—in goods or in money." No other Sioux took part in the treaty, which was not signed by Wabasha himself, but by his son, Tent Stick, Many Lightnings, the Eagle, Black Door, and the Cloud.

TREATY WITH THE CHIPPEWAS AT FORT SNELLING.

In July, 1837, Governor Henry Dodge, of Wisconsin Territory, ex-officio Commissioner of Indian Affairs for the Territory, made the first treaty with the Chippewas for the cession of their pine lands in Southeastern Minnesota and Southwestern Wisconsin; the treaty was made at Fort Snelling, and signed July 29.

According to Taliaferro's journal there were 1,200 Chippewas present at the treaty. They came from Lake Superior to Mille Lacs, and this was the largest convocation of the tribe ever assembled in Minnesota. The boundaries of the land ceded are thus described:

> Beginning at the junction of the Crow Wing and Mississippi Rivers, * * * and running thence to the northern point of Lake St. Croix, one of the sources of the St. Croix River; thence, to and along the dividing ridge between the waters of Lake Superior and those of the Mississippi; to the source of the Ochasua, a tributary of the Chippewa River; thence below the outlet of Lake de Flambeau; thence to the junction of the Wisconsin and Pelican Rivers; thence, on an east course, twenty-five miles; thence southerly, on a course parallel with that of the Wisconsin River, to the line dividing the territories of the Chippewas and Menomonies; thence to the Plover Portgage; thence along the southern boundary of the Chippewa country, to the commencement of the boundary line dividing it from that of the Sioux half a day's march below the falls on the Chippewa River; thence, with said boundery line, to the mouth of Wha-tap (Whatab) River at its junction with the Mississippi; and thenec, up the Mississippi, to the place of beginning.

Under present conditions the line ran from the mouth of the Crow Wing (or Ka-ghee Wugwan, in Chippewa), almost

directly east to the Upper Lake St. Croix, about thirty miles southeast of Duluth, thence generally east to within thirty miles of the Michigan line; thence south about sixty miles, or due west of Menominee, Wisconsin, thence in a general direction, westward, by way of Stevens' Point ("Plover Portage") and a point twelve miles south of Chippewa Falls, thence northward to the mouth of the Watab River, eight miles above St. Cloud, and thence to the mouth of the Crow Wing.

Within what is now Minnesota the boundary line included the southern part of the counties Crow Wing, Aitkin, and Pine, all of Morrison east of the Mississippi, and all of Mille Lacs, Kanabec, Benton, Isanti, Chisago, Sherburne, Anoka, Washington, and Ramsey. It also included the greater part of the northern and western Wisconsin practically confining the Chippewas of that then Territory to the comparatively narrow strip along the southern shore of Lake Superior.

In consideration of the cession of this vast expanse of country, amounting to fully 60,000,000 acres, the Indians were to receive less than two cents an acre, or $810,000 in goods and money, payable in twenty annual installments, as follows:

In money, $9,500; in goods, $19,000; for establishing their blacksmith shops, supporting the blacksmiths, and supplying them with iron and steel, $3,000; for farmers, and for supplying them and the Indians with implements, grain, etc., $1,000; in provisions, $2,000; in tobacco, $500.

There was also to be paid "to the half breeds of the Chippewa nation," the sum of $100,000 in equal distribution under the direction of Miles M. Vineyard, the assistant Indian agent, and Daniel P. Bushnell, the missionary. The order to discharge the claims of certain whites against the Indians, it was provided that $100,000 should be paid, and of this sum for goods previously sold and delivered to the Indians $28,000 was to be paid to William A. Aitkin, $25,000 to Lyman M. Warren, and $5,000 to Hercules L. Dousman. All three of these creditors were prominent traders, and Aitkin and Warren were married to Chippewa women. The payment to Warren was strongly resisted by Agent Taliaferro and some of the Chippewas. At one period

of the negotiations Warren and a number of his Indian friends burst into the council house, loudly demanding that the traders, "just claims" be allowed. In a wordy altercation between Taliaferro and the claimant, the Major pointed a pistol at Warren, and Hole-in-the-Day called out: "Shoot him, my father!" General Dodge promptly interfered and the appropriation for Warren was finally allowed to stand at $25,000.

The treaty was signed by Governor Henry Dodge as commissioner and by the following Chippewas:

From Leech Lake—Chiefs Flat Mouth and Elder Brother; Warriors—Young Buffalo, The Trap, Chief of the Earth, Rabbit, Big Cloud, Sounding Sky and Yellow Robe.

From Gull Lake and Swan River—Chiefs Hole-in-the-Day and Strong Ground, and the warriors White Fisher and Bear's Heart.

From St. Croix River—Chiefs Buffalo and Flat Mouth, Warriors, Coming Home Hallooing, Young Buck, and Cut Ear.

From Lake Courteoreille, Wisconsin—Chief Woodpecker.

From Lac du Flambeau, Wisconsin—Chiefs White Crow and Knee; Warriors, Dandy, Commissioner and White Thunder.

From La Pointe, Wisconsin—Chief Buffalo and Warriors Two Lodges, Meeting, and Cha-che-quo.

From Mille Lacs—Chiefs Rat's Liver and First Day, and Warriors Both Ends of the Sky and The Sparrow.

From Sandy Lake—Chiefs The Brooch, Bad Boy, and Big Frenchman; Warriors, Man That Stands First, and Spunk.

From Snake River—Chiefs, Wind, Little Six, Lone Man, The Feather; Warriors, Little Frenchman and Silver.

From Fond du Lac, Wisconsin—Chiefs Loon's Foot and Warrior Spruce Tree.

From Red Cedar Lake—The Murdering Yell.

From Red Lake—Francois Goumeau, a half breed.

Among the witnesses to the signatures were Rev. D. P. Bushnell, Major Taliaferro, Captain Martin Scott, Surgeon J. Emerson, H. H. Sibley, H. L. Dousman, Lyman M. Warren, J. N. Nicollet, Wm. H. Forbes, Peter Quinn and Scott Campbell. The

last two named, with Stephen Bonga and Baptiste Dubay, were the Indian interpreters.

It was by this treaty that the United States secured the most valuable pine lands in Minnesota and Wisconsin from the Chippewas who claimed them. The timber districts obtained were not entirely cut over in forty years, and until they had yielded hundreds of millions of dollars in lumber. The treaty in connection with the Sioux treaty made two months later also opened what are now Washington and Ramsey counties to white occupation and in these counties the first settlements were made.

SIOUX TREATY OF 1837.

In the spring of 1837 Agent Taliaferro was instructed to organize an authoritative and reliable delegation of Medawakanton Sioux to proceed to Washington, and make a treaty ceding the lands claimed by them in what are now Wisconsin and Minnesota. These lands were the islands in the Mississippi and a strip of a few miles, varying in width, from the mouth of the Bad Ax to the mouth of the Watab.

In September, two months after the Chippewa treaty, a delegation of about twenty Sioux chiefs and head men in charge of Major Taliaferro left Fort Snelling on the steamboat Pavillion. Captain Lafferty, for Washington. At Kaposia the chief of the band, Big Thunder, and his pipe bearer come on board; at Red Wing Wacouta and his head soldier, and at Winona Wabasha and Thin Face, making in all a delegation of twenty-six Indians.

A number of white men interested in the treaty accompanied the party. The American Fur Company was represented by H. H. Sibley and Alexis Bailly, Joseph La Framboise, Sr., Alex. Rocque, Francois La Bathe, Alexander and Oliver Faribault, and other traders were present.

The treaty was concluded and signed September 29, by Joel R. Poinsett, then Secretary of War, who was, by special appointment, the commissioner on the part of the Government. The treaty articles were as follows:

ARTICLES OF A TREATY,

Made at the City of Washington, between Joel R. Poinsett, thereto specially authorized by the President of the United States, and certain chiefs and braves of the Sioux nation of Indians.

Article 1. The Chiefs and braves representing the parties having an interest therein cede to the United States all their land east of the Mississippi River and all their islands in said river.

Article 2. In consideration of the cession contained in the previous article, the United States agree to the following stipulations on their part:

First: To invest the sum of $300,000 in such safe and profitable State stocks as the President may direct, and to pay to the chiefs and braves as aforesaid, annually, forever, an income of not less than five per cent thereon; a portion of said interest, not exceeding one-third, to be applied in such manner as the President may direct, and the residue to be paid in specie, or in such other manner and for such objects as the proper authorities of the tribe may designate.

Second. To pay to the relatives of the friends of the chiefs and braves as aforesaid, having not less than one-quarter of Sioux blood, $110,000 to be distributed by the proper authorities of the tribe, upon principles to be determined by the chiefs and braves signing this treaty and the War Department.

Third. To apply the sum of $90,000 to the payment of just debts of the Sioux Indians interested in the lands herewith ceded.

Fourth. To pay to the chiefs and braves as aforesaid an annuity for twenty years of $10,000 in goods, to be purchased under direction of the President and delivered at the expense of the United States.

Fifth. To expend annually for twenty years, for the benefit of Sioux Indians, parties to this treaty, the sum of $8,250 in the purchase of medicines, agricultural implements and stock, and for the support of a physician, farmers, and blacksmiths, and for other beneficial objects.

Sixth. In order to enable the Indians aforesaid to break up and improve their lands the United States will supply, as soon as practicable after the ratification of this treaty, agricultural implements, mechanics' tools, cattle, and such other articles as may be useful to them, to the amount not exceeding $10,000.

Seventh. To expend annually, for twenty years, the sum of $5,500, in the purchase of provisions, to be delivered at the expense of the United States.

Eighth. To deliver to the chiefs and braves singing this treaty, upon their arrival in St. Louis, $6,000 in goods.

Ninth. To pay to Scott Campbell, the interpreter accompanying the delegation, in consideration of valuable services rendered by him to the Sioux, the sum of $450 annually for twenty years.

Article 3. It is further stipulated and agreed that the said Scott Campbell shall be secured in the quiet possession of the tract of land on the west side of the Mississippi, about one mile and a half below Fort Snelling, supposed to contain about 500 acres, and upon which he now resides.

The clause and article for the benefit of Scott Campbell were stricken out by the Senate, which, however, confirmed the rest of the treaty as here given. On the part of the Indians the treaty was signed by the following chiefs and head men of the Medawakanton bands:

Big Thunder, Grey Iron, Walking Buffalo, Good Road, Standing Cloud, Upsetting Wind, Afloat, Cloud Man, Iron Cloud, He that Comes Last, He That Shakes the Earth, Iron of Pleasant Voice, Dancer, Big Iron, Runs After Clouds, Red Road, Bad Hail, Eagle Head, Stands on Both Sides, Walking Circle, and Red Lodge.

For some reasons, which cannot here be given, none of the representatives of Wabasha's and Wacouta's bands, as shown by the record, signed, although both chiefs were present, and Wabasha was head chief of the Medawakanton band. A considerable portion of the country ceded along the Wisconsin shore of the Mississippi was only immediately across the river from their own lands, and they certainly had an interest in its disposition; but their signatures to the printed copy of the treaty do not appear.[1]

In 1820 the Sioux bands about Mendota gave, or attempted to give, the island in the Mississippi, opposite Fort Snelling and commonly called Pike's Island, to their kinswoman, Mrs. Pelagie Faribault, the mixed-blood wife of John B. Faribault, the trader who lived on the island. At the Treaty of 1837 Alexis Bailly presented the deed to Mrs. Faribault from the Indians and sought to have it acknowledged among the treaty provisions, but the offer was refused. Following is an extract from the deed, which is dated August 9, 1820:

Also, we do hereby reserve, give, grant, and convey to Pelagie Farribault, wife of John Baptist Farribault, and to her heirs for ever, the island at the mouth of the River St. Pierre, being the large island,

[1]United States Stats. at Large, Vol. 7, "Indian Treaties," pp. 539-40.

containing, by estimation, three hundred and twenty acres * * * The said Pelagie Farribault being the daughter of Francois Kinie by a woman of our nation.

At one time Pike's Island—or Faribault's Island, as it came to be called—was considered very valuable. J. B. Faribault lived on it in a somewhat pretentious establishment, and had the greater part of it under cultivation. It was thought that from its situation it was destined to be a great trading site. Stambaugh, acting for others, offered $10,000 for it, but the offer was refused. Then in 1838, and again in 1839, came a Mississippi River flood which submerged the island and well nigh washed away everything; acknowledgment of Mrs. Faribault's ownership was refused in the treaty; the Government finally decided that the land belonged to the United States, under the Pike treaty, and refused to allow the Faribaults anything for their improvements, and in a few years they abandoned it.

The Sioux and Chippewa treaties of 1837 were most important incidents in the history of Minnesota. Together they constituted an influential event. Their announcement sounded the signal for the opening of the country to white settlement, and cleared the way for the frontiersman and pioneers, with their axes and plows; and once they had gained a foothold they could clear the ways and open the paths for themselves.

Prior to these treaties every foot of the State, except the little reservation about Fort Snelling, had been in barbaric ownership and primeval conditions. A white man might not build his home anywhere in all that great expanse without permission of the Indians who held the land solely by the right of might, having taken it by force from their weaker brethren, and having defended it against their enemies. It was theirs, therefore, under Rob Roy's rule:

> " * * * The simple plan,
> That they should take who have the power,
> And they should keep who can."

A breach had been made in the barriers that had shut out civilization, and through the gap soon came the advance guard of

the great army of progress whose mighty battalions were not far in the rear. After these treaties barbarism and Indian ownership in Minnesota were doomed. Once let the white man gain a foothold, and, following the precedents of his ancestors for two centuries, he would push back and sweep off the original tenants of the land, and in time own it all himself.

DOTY TREATY OF TRAVERSE DES SIOUX.

The record of Minnesota shows clearly that the State's history has been full of crises. In the concerns of state, as in the "affairs of men," there are tides which if taken at their flood lead to fortune, but if embarked upon at their ebb will bear to destruction or disaster. Had the outcome of any one of the several events in the early history of the State been different, the influence upon its future would have been most important.

The failure of the United States Senate to ratify what is commonly known as the Doty treaty made at Traverse des Sioux, in July, 1841, was an important crisis in Minnesota history which was safely passed. Had the treaty been ratified the State would not have been created for an indefinite period, and might never have had its present proportions and boundaries.[1]

The Doty treaty was made on the part of the United States by James D. Doty, then Governor of the State of Wisconsin, and was signed by the chiefs of the Sisseton, Wahpaton and Wahpakoota bands of Sioux Indians at Traverse des Sioux, July 31, 1841, and by the Medawakanton chiefs, at Mendota, August 11, following. At the time both Traverse des Sioux and Mendota were in Iowa Territory; but Governor Doty, as Governor and ex-officio Commissioner of Indian Affairs of Wisconsin, did not assume to act in either capacity, but represented the Government as a special commissioner.

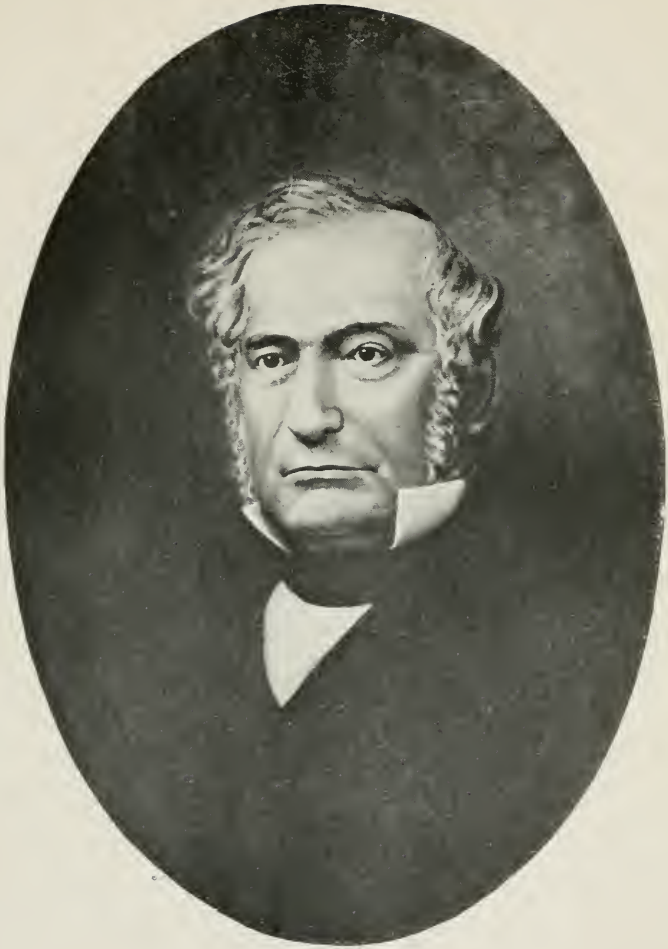
By the terms of the treaty the Sioux, as the recognized rightful owners of the country, sold all their lands in what is

[1]What follows is mainly derived from a monograph on the treaty written by Thomas Hughes, of Mankato, and published in Vol. X. Minnesota Historical peciety.

now Minnesota, the Dakotas, and Northwestern Iowa, except small designated portions thereof, reserved for their homes. They were to receive a compensation therefor, stated annuities, and to be taught the arts of civilization. Lands were to be allotted to them in severalty, a hundred acres to the family, and, after two years of probation, they might become citizens of the United States. The Sioux nation, as represented by the confederated bands named, was to have a constitutional form of government—in the main like that of the Cherokees of the Indian Territory—with a legislative body elected by themselves and a governor to be appointed by the President of the United States.

The area of the new purchase was variously estimated at from 25,000,000 to 33,000,000 acres, but in reality it was much more. It was never surveyed, because the treaty was never ratified and did not become effective, but after the survey was made the area ceded was computed as nearly 35,000,000 acres. It was larger than the country ceded by the Sioux ten years later.

The object of the Doty treaty was not to open the country purchased to white settlement; on the contrary it devoted and destined all the vast expanse of territory acquired to Indian occupation forever. It had long been Governor Doty's theory that the best interests of both whites and Indians of Wisconsin Territory "would best be served by segregating the red people on lands remote from their brethren. After their treaty with the Government in 1837 the Winnebagoes had been kept in Wisconsin to the great expense of the Government, and to the great dissatisfaction of the white settlers and the citizens, who did not like the Indians for neighbors. The Government had long promised that the Winnebagoes should have a permanent home. Governor Doty's idea and plan was to acquire from the Sioux an extent of country large enough to furnish reservations for all other Indian tribes and remnants of tribes east of the Mississippi. In short the new country acquired was to become a second Indian Territory, which should be to the North what the Indian Territory of the South was to that section. Governor Doty had originally intended to provide a permanent home only for the Winnebagoes, but as time passed the scheme for a grand Terri-



JAMES D. DOTY.

Legislative Council
1836

tory to contain several tribes and bands of Indians was planned. He believed it to be a beneficent enterprise, at least for the Indians, and his interest was entirely unselfish. He could have nothing to do with the execution of the provisions of the treaty, since the ceded country and the Indians from whom it was obtained were not within his superintendency, but entirely—or nearly so—within the Territory of Iowa. At the time he of course had no thought that he was attempting to thwart a splendid destiny which involved the creation of three powerful States of the American Union.

Three forts were to be established and garrisoned within the new Territory, to protect the Indians against possible invasion from the wild tribes of the far West. The Indians were to be transported to their new homes and be assisted in establishing them and in planting their first crops, at the expense of the Government, and this expense, it was estimated, would not exceed $3,000,000. Teachers, scholastic and manual labor, were to be furnished them to instruct them in civilization and missionaries of all denominations were allowed to settle among them.

Governor Doty's scheme for the civilization and government of Indians was not as impractical, visionary, and utopian as might, upon first consideration, be concluded. There were probably some imperfections in the treaty, but these could have been amended or corrected, and the Indians as well settled in the Northern Territory as in the Southern. There was, apparently, no thought that the new Indian domain would interfere with the creation of new states; at any rate the treaty was not rejected by the Senate for this reason.

The reason for the rejection of the treaty was that it was regarded as a Whig measure; it was killed by the Democrats, who by their action were, unwittingly wiser than they deemed they were. It was most fortunate for the country at large, for the glory and greatness of the Republic, that the treaty failed.

The treaty came up for newspaper discussion soon after it was signed. It had been authorized and promoted by John Bell, of Tennessee, then Secretary of War of President Tyler's Cabinet, and was considered a measure of the Whig administration.

But a little time after his accession to the presidential chair President Tyler repudiated the Whig party, that had elected him Vice President on the ticket with General Harrison,[1] and went over to the Democrats. Whereupon all of his Cabinet—except Daniel Webster, the Secretary of State—resigned and a strenuous feud between the President and the Whigs ensued.

Governor Doty's Traverse des Sioux treaty instrument was sent to the Senate just when the strife between the President and his party leaders was the fiercest and only a few days before the cabinet resigned. The treaty, as has been said, was fostered and directed by John Bell, who, upon the dissolution of Tyler's cabinet, became its champion in the Congressional lobby. The treaty had been commended by all of the Whig papers and a number of Democratic journalists had commented favorably upon it; but when the breach came between the President and his party the official organs of the Democrats made war upon it, styling it "A Whig measure designed purely and simply to advance the political fortunes of Mr. Bell."[2] That was enough, but the President threw his influence against it which put a quietus upon it. The Senate was Democratic and the treaty was rejected. The Whig papers soundly denounced the "Loco-Focos," as they called the Democrats,[3] for defeating a measure so full of benefit to the country in general and particularly offering a solution of the very difficult and perplexing Indian problem.

It is impossible to conjecture what would have become of Minnesota—if indeed there would have ever been a Minnesota—had the treaty made by Governor Doty become a part of "the supreme law of the land." Congress might now be considering the admission of a state composed of the former Northern Indian Territory and the surrounding country as it has recently con-

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[1]Who died after having been in office but one month.

[2]Washington Globe, January 14, 1842.

[3]The nickname originated in 1834 from the circumstance that at a Democratic convention in Tammany Hall one evening a war of words resulted in adjournment by the decision of the chairman and the extinguishing of the lights by the custodian. A number of the delegates remained in the hall after the majority had left and producing loco foco matches relighted the lamps and held another meeting.

sidered the union of the Indian Territory of the South with Oklahoma and the creation of a State by that name. In the affairs of Commonwealths, as in those of individuals, all is well that ends well.

Chapter XXIII.

THE SIOUX TREATIES OF 1851.

NO other events or incidents in all time have been of more importance in their influence upon the character and destiny of Minnesota than the negotiations with the Sioux Indians in the summer of 1851, commonly known as the Treaties of Traverse des Sioux and Mendota. As a result of these treaties a vast region of country large enough and naturally rich enough for a kingdom was released from barbarism and opened to settlement and civilization.

Prior to these events only the lands in Minnesota east of the Mississippi River were open to white occupation. The fine, fertile expanse to the westward was forbidden ground. The waves of immigration were steadily rolling in and beating against the legal barrier in increasing volume and growing force, and in time the wall was removed. Necessity is not only the mother of invention but the author of many reforms. There had long been a desire for the opening of the big Indian reservation; at last came the necessity, and following the necessity came the law.

In his message to the first Territorial Legislature Governor Ramsey recommended that a memorial to Congress be prepared and adopted praying for the purchase by treaty of a large extent of the Sioux country west of the Mississippi, accordingly a lengthy petition, very earnest and eloquent in its terms, was, after considerable deliberation, drawn up, finally adopted by both houses and duly presented to Congress. This was in October, but already the national authorities had taken action.

In June, 1849, Orlando Brown, Commissioner of Indian affairs, addressed an official letter to Thomas Ewing, then Secretary of the Interior, recommending negotiations with the Sioux, "for the purpose of purchasing their title to a large tract of country west of the Mississippi River." The Commissioner said that the object of the purchase was, "in order to make room for the immigrants now going in large numbers to the new Territory of Minnesota, as the Indian title has been extinguished to but a comparatively small extent of the country within its limits." Secretary Ewing approved the report and selected Governor Ramsey and John Chambers, the latter a former Territorial Governor of Iowa, as commissioners to make the proposed treaty.

In his annual report for 1848 Commissioner Brown had recommended an appropriation to defray the expenses of a Sioux treaty, but Congress failed to make it. So desirous was he for the treaty in 1849 that he was willing to pay the attendant expense out of the "small current appropriations" for his office and so he warned Ramsey and Chambers that "the strictest economy in all your expenditures will be necessary." He said if they waited for a special appropriation from the next Congress the treaty in its complete form would be postponed for two years, and in the meanwhile there would be increasing trouble between the Indian owners of the land and trespassing settlers.

In August, 1849, Commissioner Brown addressed a lengthy letter to Governors Ramsey and Chambers informing them of their appointment as commissioners to make the treaty and instructing them particularly as to their duties in the premises. The instructions were not only clear, but very elaborate and comprehensive, and so far as they could be given the commissioners were told just what to do and just how to do it. The fact that some of the directions were unwise and unwarranted was due to the misinformation on the subject which the commissioner had received, and his consequent lack of knowledge as to the situation. For example, in describing the territory which the commissioners were to acquire, Commissioner Brown, expressed the opinion that it contained "some 20,000,000 of acres,"

and that "some of it," no doubt, contained "lands of excellent quality." With respect to the probable worth of the country to the United States the Commissioner expressed the opinion that, "from its nature, a great part of it can never be more than very trifling, if of any, value to the government." The country was more valuable for the purpose of a location for homeseekers than for any other purpose, and Commissioner Brown thought that, "only a small part of it is now actually necessary for that object."

The contemplated and directed treaty with the Sioux in the fall of 1849 was not held as contemplated. On repairing to Traverse des Sioux in October, Commissioners Ramsey and Chambers found that a large majority of the Upper Indians were absent on their fall hunts. Coming down to Mendota, they found the greater part of the Lower bands were absent gathering wild rice, hunting in the Big Woods and elsewhere, and those still in the villages were, under the circumstances, unwilling to engage in any important negotiations.

At Mendota, however, a treaty was made with some of the chiefs of the Medawakanton and Wapakoota bands, providing for the purchase, on reasonable terms, of what was known as the "Half-Breed Tract," lying west of Lake Pepin, and which had been set apart for the Sioux mixed bloods by the treaty of July 15, 1830. The tract comprised about 384,000 acres of now well known and valuable country. The purchase was to be completed as soon as possible, and the money given to the mixed blood beneficiaries in lieu of the lands. The treaty was duly forwarded to Washington but never ratified by the Senate. In 1850 the agitation for a larger, grander, and better treaty resulted in the great negotiations of the summer of 1851, and the subject of the Lake Pepin Half Breed Tract was put aside and soon forgotten.

TREATY OF TRAVERSE DES SIOUX.

At last, in the spring of 1851, President Fillmore directed that a treaty with the Sioux be made and appointed commis-

sioners to that end. The pressure upon him could no longer be resisted. The Territorial Legislature had repeatedly memorialized Congress, Ramsey had written, Sibley and Rice had reasoned and pleaded, and Goodhue, and the other Minnesota editors had well nigh heated their types in their fervid exhortations to the National authorities to tear down the barriers, and let in upon a great region, black with barbarism, the flood of a refulgent civilization.

The need of some action was imperative. It required the best efforts of the United States military officers and the Indian agents to prevent bold and enterprising home-seekers from crossing the great river and making and settling upon sites surpassingly beautiful and inviting, thus encroaching upon Indian rights. Think of white men standing for years upon the east bank of the river at St. Anthony Falls and gazing upon the country to the westward, so fair to view and so full of possibilities, with only a few paddle strokes between them and its glories.

The traders had long been desirous that a treaty be made. It was the practice in such negotiations to insert a provision in the treaty that the "just debts" of the Indians should be paid out of the amounts allowed them. The American Fur Company—then Pierre Chouteau, Jr. & Company—represented by Sibley and the various sub-traders claimed that the Sioux of Minnesota owed them in the aggregate nearly $500,000 for goods had and received in past times; the accounts, in some instances were dated twenty years previously. If a treaty were made, all of the accounts would probably be declared as "just debts" and paid out of the ordinary funds. That the traders, including the firm of Chouteau Jr. & Company, did all they could to have a treaty made, may readily be believed.

Under a paragraph in the Indian appropriation bill of 1851 approved February 27, all Indian treaties thereafter were to be negotiated by "officers and agents" connected with the Indian Department and selected by the President. The appointees were not to receive for their services in such cases any compensation in addition to their regular salaries. Previously treaties had been

negotiated on the part of the Government by special agents who were generally not connected with the public service and who were paid particularly, and liberally for these services.

In consideration of the great extent of country to be possibly acquired, and the importance of the treaty generally, President Fillmore appointed to conduct it, on the part of the Government, two prominent officials of the Indian Department. These were Governor Alexander Ramsey, ex-officio Indian Commissioner for Minnesota, and Luke Lea, the National Commissioner of Indian affairs. The instructions given them were in the main those of Commissioner Brown, two years before, to Ramsey and Chambers when it was designed that the treaty should then be made.

Commissioner Lea arrived at St. Paul, on the steamboat Excelsior, June 27. On the 29th he and Governor Ramsey left Fort Snelling on the boat for Traverse des Sioux, the site of the council ground selected for the treaty with the two upper bands of Sioux, the Wahpatons and Sissetons, who occupied the country of the Upper Minnesota valley. On board of the Excelsior were some beef cattle and other supplies, to be furnished the Indians during the negotiations. There were also on board about twenty-five white persons who went up as excursionists and as sight-seers and witnesses of the proceedings.

The Excelsior landed at Traverse des Sioux early on the morning of Monday, June 30. This was a well known locality. Here the Sioux, in early days were wont to cross the Minnesota, on their way between the Cannon River country and Swan Lake, and the ford bore the French equivalent for the "crossing of the Sioux." From the earliest days there had been a trading post here and in 1843 Reverend Riggs and his associates had established a mission at the site. In the summer of 1849 this station was in charge of Reverends Robert Hopkins and Alexander G. Huggins. The missionaries had comfortable residences and there was a frame mission house neatly painted and well furnished.

There was also at "the Traverse," as it was often called, the trading houses of Alexander Graham, and Oliver Faribault, with residence cabins and other log out-buildings; there was also the

old log warehouse in which the Doty treaty of 1841 had been made and signed, while scattered along the ridge to the rear were thirty or more buffalo skin tepees, occupied by Indian families belonging to Chief Red Iron's band of Sissetons. Ten miles to the northwest was the village of Chief Sleepy Eye's Little Rock band of Sissetons numbering two hundred fifty. The site of the Traverse, where the town was afterwards laid out, is two miles east of St. Peter, or seventy miles southwest of St. Paul.

Word had been sent to all of the Sisseton and Wahpaton bands—the Upper bands, as they were often called—that a treaty was to be held at the Traverse about July. They were notified to be present, not only the chiefs but the head men—the war leaders and principal orators of the band—were to participate in the deliberations. A large brush arbor was erected, under the supervision of Alexis Bailly, and beneath this comfortable shade the treaty was to be held. A number of beeves were slaughtered and boxes of hard-tack opened to feed the expected visitors, while baskets of champagne and other refreshments were offered for the entertainment of the white visitors. But the arrival of the Indians was long and vexatiously delayed. Although those whose homes were most remote did not have more than a few days journey to reach the Traverse, it was not until July 18, that the representatives of the last of the bands came in, very tired, very hungry—and very thirsty, longing for the white man's "spirit water." They were heartily welcomed and bountifully fed on fresh beef, pork and hard tack, but were refused whisky or other spirits.

There were present on the part of the Indians the two head chiefs and the principal sub-chiefs of the bands as well as their head soldiers, chief speakers, and prominent men of all classes. On the part of the whites there were Commissioners Lea and Ramsey; Dr. Thomas Foster, the Secretary, and Alexander Faribault and Reverend S. R. Riggs, interpreters. Other prominent white spectators, some of whom acted as witnesses to the treaty were: James M. Goodhue, editor of the *Minnesota Pioneer,* who made and published a daily report of the proceedings;

From Original Sketch by Frank B. Mayer

TREATY WITH THE SIOUX AT TRAVERSE DES SIOUX.

Frank B. Mayer, a noted artist from Baltimore; Major Nathaniel McLean, Sioux Indian agent at Fort Snelling; Doctor Thomas S. Williamson, the missionary at Kaposia; Judge James H. Lockwood, of Prairie du Chien, who claimed to be the first American that ever ascended the Minnesota going up as far as Patterson's Rapids in 1816; Richard Chute and wife, then a newly married couple from Indiana; H. H. Sibley, Colonel C. Henderson, Joseph R. Brown, W. H. Forbes, Hugh Tyler, Rev. Alexander G. Huggins, Martin McLeod, Henry Jackson, A. S. H. White, Wallace B. White, Alexis Bailly, Kenneth McKenzie, Hercules L. Dousman, Franklin Steele, F. Brown, William Hartshorn, William G. LeDuc, Joseph La Frambois, Sr., James McC. Boal, and sundry French voyageurs, traders' employes and retainers.

While waiting for the Indians the whites diverted themselves in various ways, but chiefly in observing the Indian dances and their other customs. It was intended to formally observe the Fourth of July. Reverend Robert Hopkins, one of the local missionaries, was drowned while bathing in the Minnesota, and the intention was abandoned.

July 11, occurred the marriage of two mixed blood people, David Faribault and Nancy Winona McClure. They were a fine looking couple, attracted general admiration, and the whites gave them a pretentious wedding reception. The groom was a son of John B. Faribault, the pioneer trader, and the bride was the natural daughter of Lieutenant James McClure of the regular army, who was at one time stationed at Fort Snelling and died in Florida during the Seminole War of 1837; she had been reared by her Indian grandmother and educated and christianized by Reverends Riggs and Williamson. She is now (1907) living on the Sisseton Reservation, South Dakota.

The ceremony was performed by Alexis Bailly, the trader, who had been commissioned a justice of the peace. The wedding reception was followed by an elaborate banquet prepared by the whites and at which there were a number of toasts presented and responses made. Referring to her marriage reception years afterward, Mrs. Faribault wrote: "I have often wondered

how so much champagne got so far out on the frontier." After the wedding festivities the Sioux girls, to the number of twenty or more, had a "virgin feast," in which none but vestals of undoubted purity were allowed to participate.

The Indians came in from time to time in no haste and evidently not very anxious to sell their lands. Nearly all of the women and children were brought along, and the whites had the whole of the great hungry (always hungry) crowd to feed. Chief Shakopee, of the Lower Bands of the Sioux, was in attendance a great part of the time, although he had no real business there except to be entertained at the Commissioners' expense. On the tenth a band of twenty Chippewas attacked a party of six Sisseton Sioux, forty miles above Lac qui Parle and killed and scalped five of them; the sixth, a boy, escaped by running, and it was said he ran thirty miles without stopping. The Sioux went out and found their tribesmen rotting and blackening in the sun; the bodies had been beheaded and loathsomely mangled. The father of two of the murdered children came into the Traverse July 15, bringing the tragic news. He took part in the treaty, but sat with his face blackened because of his bereavement.

July 18, the council opened under the brush arbor. Governor Ramsey opened the proceedings with a short speech and was followed by Commissioner Lea, who in explanation of the desires of the white authorities made a lengthy address, with much in it about the ineffable goodness and gigantic greatness of the "Great Father" of the Indians (the President) and his unselfish desire that they sell to him all of their lands as far west at least as Lake Traverse and the Big Sioux River down to the western border of Iowa with a reservation ample enough to homes for all of them. The Sissetons and Wahpatons claimed the country from Traverse des Sioux westward to the line indicated and the Commissioners wanted all of it. After the speeches of the commissioners, in order that their words might "sink deep into the hearts" of the Indians, the council adjourned.

The following day, Saturday, the nineteenth, the council was opened with a speech from Star Face (or "the Orphan," as the

whites called him) after a long silence and apparently much reluctance to speak, and when he spoke he said simply that all his young men had not arrived, and he was very sorry that the council had opened without their presence, or that, as he expressed himself, the commissioners were "not willing to shake hands with those that are behind." He said he understood that some one had been sent to meet them on the road and turn them back, and this made him feel very bad.

Then Sleepy Eye, the old Sisseton chief of the Traverse des Sioux, who had been one of the signers of the Prairie du Chien treaty of 1825, had visited Washington, and had his portrait painted, in 1824, rose and said:

> Fathers: Your coming and asking me for my country makes me sad, your saying that I am not able to do any thing with my country makes me still more sad. The young men who are coming (of whom Star Face had spoken) are my near relatives, and I expect certainly to see them here. That is all I have to say. I am going to leave and that is the reason I spoke.

Then, turning to the other Sissetons he said, "Come; let us go away from here." Instantly there was great confusion. The Indians left the arbor and were greeted with shouts by their brethren. There were indications that the council was at an end, and there was much excitement.

Governor Ramsey was equal to the occasion. He knew the Indian propensity, the Indian weaknesses, by this time. Calmly he said to the interpreter: "Tell them that as our stock of provisions is short, and they seem indisposed to talk, there will be no further issue of provisions to them." Commissioner Lea added: "Tell them they must let us know by this evening if they really wish to treat. If we do not hear from them by that time we will go below early tomorrow morning." The council then adjourned and orders were given to get the boats ready and to prepare to move in the morning.

The Indian bluff had not worked. The word that they were to be given nothing more to eat produced great and general consternation, and soon there was a change of sentiment and disposition manifest among them. In the evening a considerable delegation waited upon the commissioners and said that all the bands

were willing to treat and asking that the council be re-opened the following Monday. The orders for departure were then countermanded, and to the great joy of the Indians, who longed for the flesh pots of the white men, with the fresh beef, the salt pork, the rice and the hard tack—provision rations were directed to be issued to them as usual.

On Monday, the 21st, the council opened at noon. The first speaker was Sleepy Eye, who sought to explain his remarks and his condition on the previous Saturday. He said:

On the day before yesterday, when we convened together, you were offended, I hear, at what was said. No offense or disrespect was intended. We only wanted more time to consider. The young men who made a noise were waiting to have a ball play, and not understanding English thought the council was over, and as they did so made the disturbance, for which we are very sorry.

Chief Extends His Head-dress—or Big Curly Head, as the whites called him—a Sisseton sub-chief, said:

I am not speaking for myself, but for all that are here. We wish to understand what we are about before we act—to know exactly the proposition made to us by the commissioners. The other chiefs and all our people desire that you will make out for us in writing the particulars of your offer for our lands, and when we have this paper fully made out, we will sit down on the hill back there (indicating) consult among ourselves, come to a conclusion, and let you know what it is.

Commissioner Lea then quickly prepared on paper the terms desired by the United States, which had been declared verbally at a previous meeting, and which were as follows:

The Indians will cede to the United States all their lands in the State of Iowa, as well as their lands east of a line from the Red River to Lake Traverse and thence to the northwestern corner of Iowa. The United States will (1) set apart a suitable country for the Indians on the upper waters of the Minnesota River for their future support; will (2) pay—say, $125,000 or $130,000 to them to enable them to arrange their affairs preparatory to removal, to pay the expense of removal, and to subsist themselves for a year after removal—part of the above sum to be paid in money and the other part to be paid in goods and provisions. Will (3) pay the Indians an annuity of $25,000 or $30,000 for many years—say thirty or forty years—part in money, part in goods and provisions, and part to be applied to such other beneficial objects as may be agreed upon.

The Indians deliberated over the words of these provisions and let them "sink into their hearts" for two days and nights. There was great divergence of opinion among them, the interpreters said. The majority seemed to have an idea that their lands were of great value to the United States, but readily admitted that they were of but little use to themselves as hunting grounds, since the greater portion was prairie, and not at all valuable as a fur region or game preserve. But they had no proper conception of the actual value in dollars and cents of the great domain which they were about to sell. Their idea of numbers was limited, and they seemed to think that one hundred and forty-five thousand dollars and seventy-five cents was far more money than a million dollars, because the latter was the shorter phrase and did not sound so imposing and formidable. When, therefore, the commissioners made an offer, the poor unlettered Indians did not know whether it was a fair one or not. Of course they appealed to their traders and missionaries, who understood the Dakota language, but the explanations offered hardly explained. The work of these traders and missionaries in finally effecting the treaty was constant and very valuable. The services rendered by Reverend Riggs, one of the official interpreters, were most important. While the Indians were considering the white men's proposition, Riggs, Sibley, McLeod, Brown, and Faribault were sent for at all hours of the day and night to explain to the various bands the provisions of the treaty, and their application. The Indians would not be satisfied with the meaning of any provision until at least three white men, acting singly, had read it and interpreted it fully.

July 22, the Indians, after much deliberation, proposed certain amendments, which they said they would insist upon, as a part of their treaty. These amendments were practically unimportant and the commissioners readily accepted. The treaty was then prepared and on the following day was signed by the contracting parties—by Commissioner Lea and Ramsey and the chiefs and head men of the Sisseton and Wahpeton[1] bands of the

[1]In the official copy of the treaty the names of the bands are spelled, "See-see-toan" and "Wahpay-toan," which more correctly indicate the pronunciation.

Sioux. The ceremony of signing was somewhat impressive. After the white commissioners had affixed their names the Indians selected the one of their number who should sign first. This was Chief Eeen-yang Man-nie, or Running Walker, (sometimes called "Big Gun") chief of the Lake Traverse band of Sissetons. Boldly he stepped upon the platform and touched the goose quill pen in the hands of Dr. Foster. Next came Chief Star Face, or "The Orphan." The commissioners tried to hasten matters and to conclude the signing as soon as possible, but at one time there was a hitch in the proceedings.

Old Sleepy Eye, who had said at the outset that he was sad at heart because he had to sell his country, now arose, to the great apprehension of the whites, and begged to say a few words. He said that many of the Indians, young men and soldiers, had, without consultating their chiefs, concluded that the country which they were asked to sell was worth $3,500,000, but that the commissioners were trying to get it for a less sum. The young men had a right to be made satisfied. He also demanded other conditions:

> You will take this treaty paper home and show it to the Great Father," [said Sleepy Eye] "but we want to keep a copy here so that we may look at it and see whether you tell us the truth or not—see whether you have changed it. As to paying our debts to our traders I want to pay them what is right, but I would like to know now how much I owe them. If they have charged me ten dollars for a gun. I want them to tell me, and if they have charged me ten dollars for a shirt, I want them to tell me that. I am a poor man and have difficulty in maintaining myself, but these traders have good coats on. The prairie country in which I live has not much wood; I live along with the traders, and they are also poor, but I do not want to have to provide for them. I think it will be very hard upon us when the year becomes white, and I would like to have some provisions given me for the winter. I would like to have what is mine laid on one side; then when we have finished this business I will know how many of my relatives I can have mercy upon.

Colonel Lea assured Sleepy Eye that the money which the United States would pay for the Indian land would amount to more than the young men desired—to more than $3,500,000. He sharply reproved Sleepy Eye and said: "We think it fortunate

for our red brothers that they have not entrusted the entire treaty to Sleepy Eye, because they would not have made so good a bargain for themselves as they have."

Then Thunder Face, or "Limping Devil,"—a sub-chief of the Sissetons, whose village was on the present site of the big Gilfillan farm, in Redwood County—came forward and signed. He was followed by Sleepy Eye who came gravely forward and touched the pen. "Big Curly" was next, but after reaching the platform he said: "Before I sign I want to say, that you think the sum you will give for our land is a great deal of money, but you must well understand that the money will all go back to the whites again, and the country will remain theirs." The Blunt Headed Arrow, or "the Walnut," the Handsome Man, the Gray Thunder, the Good Boy and other noted warriors and head men signed in order. Face in the Middle was introduced by his father "Big Curly," who said: "This is my son; I would like you to invest him with the medal which you have given to me by my right as chief. He is to succeed me and will keep the medal for you." Red Day, next signed, and was followed by Young Sleepy Eye, nephew of and successor to the old chief, upon the latter's death in 1859. They were followed by old Rattling Moccasin, chief of a small band which generally lived in the neighborhood of the great bend of the Minnesota. Old Red Iron was the first Wahpaton chief to sign.

The treaty was signed by the following Sisseton and Wahpaton chiefs, head men and chief soldiers:

Chiefs—Running Walker, or "the Gun; "Star Face, or "The Orphan;" Thunder Face, or the "Lame Devil;" Sleepy Eye, Extends the Train of His Head Dress, Walking Spirit, Red Iron and Rattling or Sounding Moccasin.

Head Men—Blunt Headed Arrow, or the "Walnut," Sounding Iron, the Flute, Flies Twice, Mildly Good, Gray Thunder, Iron Frenchman, Good Boy, Face in the Middle, Iron Horn, Red Day, Young Sleepy Eye, Goes Galloping On, Cloud Man, the Upper End, the Standard or Flag, Red Face (2) (there were two Red Faces) Makes Elks, Big Fire, Moving Cloud, The Pursuer, the Shaking Walker, Iron Lightning, Reappearing Cloud,

the Walking Harp that Sounds, the Iron that Shoots Walking, and Standing Soldier.

Of the Indian signers Red Iron and Sleepy Eye were the most prominent of the chiefs. The head-man "Goes Galloping On" (or Anah-wang Manne in Sioux) was a Christian Indian and a member of Reverend Riggs' Hazelwood Republic. He had been baptized under the name of Simon Anahwangmanne, and was commonly called Simon by the whites. He distinguished himself by his fidelity to and services for the whites during the Outbreak of 1862. The Iron that Shoots Walking was a Christian comrade of Simon's and called by his white brethren Paul Mazah-koo-te-manne, but commonly Paul or Little Paul. He well nigh immortalized himself during the Outbreak by his efforts in behalf of the white prisoners.

As soon as the signing was completed a considerable quantity of provisions, and other presents, including silver medals, were presented to the Indians. These presents, which had been furnished by the Government, had been piled up and displayed somewhat ostentatiously, under guard, while the treaty was under discussion. The commissioners announced that the presents would be distributed "just as soon as the treaty is signed," and the announcement was sufficient to hasten the signing, and even to remove many objections to the terms of the treaty. The members of the rank and file of the great Indian host present, kept constantly calling out: "Sign! sign! and let the presents be given out."

July 23, the next morning after the treaty had been signed, Chief Star Face, or "the Orphan," and his band in their fullest and richest dress and decoration, with all the animation they could create gave the buffalo dance and other dances and diversions for the entertainment of their white visitors. A delegation accompanied the commissioners to the river, when they embarked for Fort Snelling that evening and gave them a hearty good bye. The return trip from the Traverse to the Fort was made by the whites at night in a large Mackinaw boat, rowed by voyageurs. Mendota was reached the following morning at 9 A. M. Preparations were at once begun for holding the sec-

ond treaty, or that with the lower bands of Sioux, the Medawakantons and Wahpakootas.

THE TREATY AT MENDOTA.

Six days after the conclusion of the treaty proceedings at Traverse des Sioux—or on July 29, 1851—the deliberations of the treaty at Mendota with the Wah-pa-koota and Medawakanton bands of Sioux were begun. The two bands had been thoroughly informed of the recent proceedings at Traverse des Sioux and their representatives, the chiefs and head men, were all early in attendance. The first session was held in the warehouse of the Fur Company at Mendota, but this room proved too warm and confined, and thereafter the council held its deliberations under a large brush arbor, erected by Alexis Bailly, on the elevated plain near the high prominence known as Pilot Knob. The Secretary of Commissioners Lea and Ramsey was again Dr. Thomas Foster; the interpreters were Alexander Faribault, Philander Prescott, and Reverend G. H. Pond, the white witnesses were David Olmsted, W. C. Henderson, Alexis Bailly, Richard Chute, Henry Jackson, A. L. Larpenteur, W. H. Randall, A. S. H. White, H. L. Dousman, Fred C. Sibley, Martin McLeod, George N. Faribault, and Joseph A. Wheelock. Of all these only one, A. L. Larpenteur, is now (1908) alive.

On the opening of the first day's session the white commissioners explained to the assembled Indians the object of the council. Their opening statement was replied to by Wabasha, head chief of the Medawakantons, who said:

> The chiefs and braves who sit here have heard what you have said from our Great Father. I have but one thing to say to you, fathers, and then we will separate for the day. I was among those who went to Washington and brought home the words of our Great Father. Some of those here were there also, and some who went are now dead. According to what our Great Father then said, we have some funds lying back in his hands. We spoke of these funds to our fathers, the commissioners, who were here fall before last. These men you see here around you are anxious to get that which is due them before they do anything. That is all I have to say now.

The Leaf Shooter, head soldier of the Wahpakootas, rose and displaying the medal formerly worn by Chief Wambde Yah Kapi (War Eagle That May be Seen) who was killed by the Sacs and Foxes, on the Des Moines River in July, 1849, said:

The Wahpakootas had four chiefs but they have passed away from us. The last one (War Eagle That May be Seen) was made chief by my father, Governor Ramsey, who placed this medal about his neck. Father, I wish you to have those who killed the owner of this medal pay for it. The fall before last you spoke of this; the medal was then all bloody, and if you will look at it you will see that it is still so. I wish you to wash that blood off. I return it to you and if you will wipe off the blood we will be glad.

The commissioners reminded the Indians that in regard to the money which was due them under the Treaty of 1837, a portion of which was being withheld, the treaty provided that it was to be paid to them at the direction and pleasure of the Great Father, the President; that the Indians had agreed to this when they signed the treaty twelve years before, and had never complained before. But Colonel Lea said that, if the Indians would come to an agreement in regard to the treaty, there would be no trouble about the back money.

In regard to the "bloody medal"—which of course was only figuratively bloody—Governor Ramsey said that he had demanded from the President that $1,000 should be taken from the annuities of the Sacs and Foxes and used as an emollient to cleanse the ensanguined emblem; that $1,000 should be taken from the Sac and Fox fund for every Sioux killed by them and the amount turned over to the victim's relatives. "That is the way we will wash the blood off this medal" said the Governor. He further said that in the exercise of his discretion the President had concluded that the money he was keeping ought to be expended in the education of the Indian children, but that the matter could be settled amicably if the treaty were speedily signed.

The next day the council met under Alexis Bailly's large brush arbor, which had been well appointed for the work, with stands, tables and seats for the chiefs. The session was brief. The previous day a draft of a treaty had been presented to the Indians for their consideration, and this paper was returned by

Wabasha without comment upon it. There was an embarrassing silence for a time and Colonel Lea said he hoped the treaty would soon be concluded, for he was at a great distance from his home and had been a long time away and was anxious to return.

Chief Wacouta replied: "Our habits are different from those of the whites and when we have anything important to consider it takes us a long time." Colonel Lea rejoined: "That is true; but this subject has been before you for a long time. You are chiefs and men, not women and children; you can certainly give us an answer tomorrow." The council then adjourned for the day.

The next day, when the council opened Wabasha arose and said he had listened to the words sent them by the Great Father and which the commissioners had delivered; "but," said he, "these other chiefs around me may have something to say too. I will sit and listen to what is said." Then ensued another long, constrained and uncomfortable silence, which was finally broken by the deliberate and graceful rising of Little Crow, chief of the Kaposia band, the brainiest, shrewdest, and most influential Indian then west of the Mississippi. Dressed elaborately for the occasion, with a white shirt and collar, a gaudy neckerchief, his tastefully embroidered medicine bag suspended from his neck, a red belt with a silver buckle about his waist, and wearing a pair of elaborately beaded trousers and moccasins, his long black curling hair, soft and almost as silken as a white woman's, flowing over his shoulders, with his keen black eyes alight—he was a striking and attractive figure. For an Indian his voice was fairly musical, and when he began to speak even the little Indian children playing about the outskirts of the council were silent. As reported by Alexander Faribault the chieftain said:

Fathers: These chiefs and soldiers and others who sit here have something they wish said to you and I am going to speak it for them. There are chiefs here who are older than myself, and I would rather they had spoken; but they have put it upon me to speak—although I feel as if my mouth was tied. These chiefs went to Washington long ago and brought back a good report concerning the settlement of our affairs in the treaty made there and they and we were glad. But things that were promised in that treaty have not taken place. This

is why these men sit still and say nothing. You perhaps are ashamed (or disgraced—"ishtenya" in Sioux) of us; but you, fathers, are the cause of its being so. They speak of some money that is due them; it was mentioned the other day to Governor Ramsey, and we spoke about it last fall, but we have not yet seen the money. We desire to have it laid down to us. It is money due on the old treaty, and I think it should be paid; we do not want to talk about a new treaty until it is all paid.

The commissioners repeated that under the treaty the money which had been withheld was to be expended "by direction of the President," and he had decided to apply it to the education of the Indian children. Perhaps, they said, there had been a misunderstanding as to what the other treaty meant. They wished now to make a treaty that would be so plain that there could be no doubt of its meaning. Governor Ramsey said: "If this treaty can be arranged, as much money will be paid down to you as will be equal to your usual cash annuities for three years." The Governor thought then to conclude matters. "Do you wish," he asked, "that this amount be paid to you as your other annuities have been?" The chiefs appearing to assent the Governor continued: "Do all the people want it paid in that way?" Little Crow replied that, if it were divided for the Indians by the whites it would probably be best; if the Indians undertook to divide it there might be some difficulty. Governor Ramsey replied that the money was "in money boxes," and a long time would be required to count it and get it ready, and in the meanwhile they could go ahead with the treaty. But Little Crow said: "We will talk of nothing else but that money if it is until next spring. That lies in the way of a treaty. I speak for others and not for myself."

After some protests against further delay on the part of the commissioners, the Indians saying nothing, the council adjourned until it should be called by the Indians. The next day the Indians remained in their quarters until late in the afternoon, when messengers came saying that the chiefs were all assembled at the council house and wished their white fathers to attend. Very soon the council was in session, but after the opening there was a long silence. Finally Anah-ga-nahzhee

(Stands Astride) the second chief, or head soldier of the band of his brother, Shakopee, remarked that it had been decided in the Indian council that Wacouta, (the Shooter) chief of the Wah-pa-koota band, should speak for the Indians.

But Wacouta asked to be excused, and that some other chief should speak. "I am of the same mind with my friend here Wabasha, and will sit and listen," said Wacouta. There was no response. After a long wait the commissioners went over the whole subject again, and the Indians yet remaining silent, Colonel Lea at last said: "It is plain that the Medawakantons do not wish to sell their lands. I hope they will not regret it. This grieves my heart and I know it will make the heart of your Great Father sad. * * * Say to the Wahpakoota chiefs and head men that we are all ready to meet them here tomorrow, or at any other time and place they desire." The commissioners now hastily adjourned, apparently in great ill humor, leaving the chiefs still on the benches astounded at the conduct of their white brothers. There was an interregnum in the proceedings for four days. This time was spent by the whites in privately preparing a treaty which would be acceptable to the Indians. The Medawakantons had become partially reconciled. The head chief, Wabasha, was still opposed to any treaty as it had been proposed, but Little Crow and other sub-chiefs were in favor of one if the terms were fairly liberal and the assent of their bands could be obtained. Little Crow was particularly for a treaty and the sale of the big expanse of land to the westward, which, he said, did his people no good, which but very few of his band had ever visited, and which he had never seen. He disliked to abandon the old Kaposia home, because of its associations. Here were the graves of his father and mother and other kinspeople; here was the site of his birthplace and of his boyhood, and here he had been chief of the old and noted band of his ancestors for more than four years. But Little Crow was shrewd and intelligent, and knew that the whites were pressing upon his people as they had pressed upon other red people, and that the result would be the same as it had been—and the Indians would be compelled to leave their country and "move on." The wise

course, therefore, was to obtain the best terms possible—to get all of the money and other supplies and the best permanent reservation to be had.

It was asserted that Little Crow had been well bribed by the traders and by the commissioners too, and that his opinions were the result of substantial considerations. If the charge was true Little Crow's conduct was somewhat strange. He spoke against considering the treaty until the money that was being held back should be paid in hand. He demanded a reservation that should come down the Minnesota to Traverse des Sioux, and he wanted all the money and goods and the most favorable terms generally that could be had. He was in frequent consultation with the commissioners during the days of waiting, and at the last announced that he was ready to sign the treaty, although some of the Indians had sworn that they would shoot the first man of their tribe who put his hand to the goose quill preparatory to subscribing to the hated contract.

Monday, August 5, was the eventful day of the Mendota treaty. The council met at 11 o'clock, Chief Good Road, of one of the bands about Fort Snelling, was the first speaker. He said: "We have several things to say about various matters before we sign this treaty." Colonel Lea replied: "The treaty has been prepared after we have all agreed as to its terms, and it is best not to delay any further. We will have the treaty read in English and explained in the Dakota language so that all can see that it is a good treaty."

Reverend S. R. Riggs, the missionary, read the treaty slowly and explained it in Sioux very fully. Governor Ramsey then said: "The chiefs and headmen have heard the treaty in their own language. Who will sign first?" There was a silence of some minutes, when Colonel Lea indicated that Little Crow should be the first to sign, but the chief smiled and shook his head. At last Wabasha—as was proper and befitting, seeing that he was head chief of the Medawakanton band—arose and said:

You have requested us to sign this paper and you have told these people standing around that it is for their benefit; but I do not think so. In the treaty you have read you mention a lot about farmers,

schools, physicians, traders and half-breeds, who are to be paid out of our money. To all these I am opposed. You see these chiefs sitting around here. They—and some others who are dead—went to Washington twelve years ago and made a treaty in which the same things were said; but we were not benefited by them and I want them struck out of this one. We want nothing but cash for our lands. Another thing: You have named a place for our home, but it is a prairie country. I am a man used to the woods, and do not like the prairies: perhaps some of those who are here will name a place we would all like better. Another thing: When I went to Washington to see our Great Father, he asked us for our land and we gave it to him, and he agreed to furnish us with goods and provisions for twenty years. I wish to remain in this country until that time expires.

Colonel Lea made an indignant and severe reply to Wabasha. He said that the chief had a forked tongue and was neither the friend of the white man or the Indians. "We know that the treaty doesn't meet his views, and we do not expect to be able to make one that will suit him," said Colonel Lea. "We know that he tried to deceive the Indians and us. He wanted to have the Medawakantons and Wahpakootas make a treaty by themselves, a separate treaty, and leave out the Upper bands altogether; he did not want them to have a good treaty, unless he could dictate just how it should be. You remember how he advised you to ask $6,000,000 for the land, which he knew was a foolish proposition. We are surprised to find a chief like him, whose father and grandfather were great chiefs. We have talked much about this treaty and have written it and signed it, and it is now too late to talk of changing it."

After Colonel Lea had finished his strictures on the head chief of the Medawakantons, there was evident dissatisfaction among the Indians. Governor Ramsey quickly asked: "Will either of the principal chiefs sign? Do they say yes, or no?" But they said neither. They were silent for some time and evidently displeased. For a while it seemed that the important papers would not receive a single signature. At last Bad Hail, the second chief of Gray Iron's band, rose and said that if two claims against the whites could be settled or arranged he and others would sign. Chief Shakopee then came forward and laid before the commissioners a written deed, made and signed by

the Indians in 1837, and conveying to their kinswoman, Mrs. Lucy Bailly, (nee Faribault) the wife of Alexis Bailly, three sections of land including the present site of the town of Shakopee. The chief said the Indians desired that this land be secured to Mrs. Bailly by the treaty, or that, instead, the sum of $10,000 in cash be paid her. Bad Hail presented another paper providing that a provision be made in the treaty for a reservation of several hundred acres for the heirs of Scott Campbell, the noted old interpreter at Fort Snelling. Stands Astride, the second chief of Shakopee's band, demanded that the request made in both papers be complied with. But Colonel Lea replied: "Our Great Father will not allow us to write such things in treaties. If you wish to pay Mrs. Bailly $10,000 you can do so out of your own money when the treaty is ratified, and you can pay Scott Campbell's heirs as much as you please, the money will be yours." Little Crow again spoke, and was again listened to attentively. He said he had been raised in a country where there were plenty of trees and extensive woods, in which wild game could be found. The land provided for the future home of his band was too much prairie. If the Indian reservations were made to extend eastward to Traverse des Sioux, there would be plenty of woods, and he would be satisfied. Shakopee's brother now came forward, and speaking very loudly and earnestly and to the point, said he represented the Indian soldiers or braves, and was one of the owners of the land. "The chiefs don't seem to do anything," he said, "and we must be heard." Like Little Crow, he thought the east line of the proposed reservation was too high up in the prairies, and he indicated Lake Minnetonka and Minnehaha Creek as the locality where he thought the Medawakantons would be willing to live and die—to make it the perpetual home of the band. He said the soldiers were satisfied with the other parts of the treaty. Governor Ramsey saw a valuable opportunity. He began flattering the warrior who had spoken and his brother soldiers—said they spoke out boldly and like men. The commissioners, he said, had been waiting to hear what the warriors wanted. "Now," said the Governor, "We will come down with the reservation to the

Little Rock River, where it empties into the Minnesota; this line will certainly give you timber enough."

Another soldier arose and demanded that the treaty with the Chippewas be abrogated so that he and other Sioux could go to war against them whenever they pleased. No notice was taken of this speech except to laugh at it. Then Chief Wacouta, the mild mannered, gentle hearted, head of the Wahpakoota band, arose and, speaking slowly and deliberately, made a somewhat lengthy speech, in which he said that the treaty, was all right upon its face, but the Indians, and he among them, feared that when it was taken to Washington it would be changed to their great injury, just as the treaty of 1837 had been changed. "I say it in good feeling," declared Wacouta, "but I believe you yourselves believe it will be changed without our consent, as the other treaty was." He said as to the future reservation he wanted it south of where he and his band then lived, (in the Cannon River country) or he would like his particular reservation to be at Pine Island or the Mississippi, which locality, he asserted, was "a good place for Indians." He wanted this condition, put into the treaty if it was right and just, but if not then "say no more about it." He said he was pleased with the treaty generally, but hoped that the farming for the Indians would be better done than it had been. Governor Ramsey complimented Wacouta "as a man I always listen to with great respect." Wacouta wanted the reservation in the south part of Minnesota; others wanted it up north, near the Chippewas; others wanted it here, there, and everywhere; there could be no universal agreement, and the commissioners had decided the matter for the best. There would be plenty of wood and water and the Indians could continue to hunt in the Big Woods and elsewhere in the old country as usual until the whites should come in and settle upon the lands.

Wabasha now arose and asked whether or not it was designed to distinguish the chiefs and second chiefs by marks of distinction, and to allow them more money than the common Indians should receive. Colonel Lea answered; "Wabasha now talks like a man." The Colonel said that it was "due to the

station and responsibility of the chiefs" that they be distinguished from the other Indians. Each chief ought to have a medal and a good house to live in, "so that when their friends came to see them they could be accommodated properly."

Wabasha again arose. This time he turned his back upon the commissioners and spoke to his warriors somewhat vehemently, but with dignity, "young men," he said, "you have declared that the chief who got up first to sign the treaty you would like killed; it was this talk that has caused all the difficulty. It seems that you have agreed among yourselves that you will sell the land, and you have done so in the dark. I want you to say now outright, before all the people, here, whether you are willing to sell the land."

Shakopee's brother, the speaker for the warriors, sprang to his feet and called out excitedly: "Wabasha has accused us of something we never thought of. The warriors heard that the chiefs were making a treaty, and they did not like it, for the land really belongs to the warriors and not to the chiefs; but they never spoke of killing the chiefs. It was true that the soldiers had got together and agreed to sell the land, they had told him to say so, and now I have said so."

Governor Ramsey, with rare but diplomatic shrewdness, quickly said: "This, then, being the understanding, let the soldiers tell us what chief shall sign first." Medicine Bottle, the head soldier of Little Crow's Kaposia band, rose and said:

> To the people who did not go to Washington and make the first treaty—to them belongs the land on this side of the river. There is one chief among us who did not go to Washington at that time, and the soldiers want him to sign first. He has been a great war chief, and he has been our leader against the Chippewas. It is Little Crow. We want him to sign first.

Little Crow promptly rose. Without a tremor he faced the scowling warriors who were opposing the treaty, and in his well known clarion voice keyed to a high pitch thus addressed them:

> Soldiers it has been said by some of you that the first that signs this treaty you will kill. Now, I am willing to be the first, but I am not afraid that you will kill me. If you do, it will be all right. A man has to die some time and he cannot die but once. It matters

little to me when my time comes, nor do I care much how it comes, although I would rather die fighting our enemies. I believe this treaty will be best for the Dakotas, and I will sign it, even if a dog kills me before I lay down the goose quill.

Then, turning to the commissioners, he said:

Fathers, I hope you will be willing to let our new reservation come down to Traverse des Sioux, so that our people can be comfortable and not crowded, and have plenty of good hunting and fishing grounds. The Swan Lake and other lakes have plenty of fish and wild rice and there is plenty of wood. Rock Creek is not down far enough for us. I am glad that we can hunt in the Big Woods as heretofore, but I hope you will bring our new home down to Traverse des Sioux.

If Little Crow's request had been granted the eastern boundary of the new reservation would have extended about forty miles below Rock Creek, or two miles east of St. Peter, and would have included the present sites of that city, New Ulm, and Mankato.

The commissioners declined the request. Colonel Lea said: "The reservation is all right as it is." Governor Ramsey said; "We have marked out a large piece of land for your home; the soldiers asked us for more, and we gave it. It is all that we can do." Colonel Lea added: "No man puts any food in his mouth by much talk, but often gets hungry if he talks too long. Let the Little Crow and the other chiefs step forward and sign."

Finding that the commissioners were firm, Little Crow now stepped to the table and being handed a chair sat down, and "wrote his own name" to each of the duplicate copies of the treaty. This is the account given by Le Duc, in his "year book" for 1852. Another account says that Little Crow had been taught to write—in Sioux, of course, by Reverend Riggs, at Lac qui Parle. It is probable, however, that he was taught by Reverend Doctor Williamson at Kaposia. To the treaty he signed his original name, Tah O-ya-te Duta, meaning His Red Nation.

To the general surprise Wabasha was the next to sign after Little Crow, the great head chief of the Medawakantons, making his mark. Then the other chiefs, head soldiers and principal warriors fairly crowded forward to affix their marks, and in all there were sixty-five Indian signatures as follows:

MEDAWAKANTONS.

Of the Kaposia Band—Chief Little Crow, his head soldier, Medicine Bottle, and the following leading warriors: Teepe Top, alias "Jim," alias "Old Thad"; Black Tomahawk, Shakes the Earth as He Walks, Rattling Runner, Walks on the Sacred Stones, Red War Eagle, Moves the Shadows, White Dog, Yellow Leg, and Good Thunder.

Of Wabasha's Band—Chief Wabasha (or literally Wah-pah-hah Sha, Red War Banner) his head soldier, Many Lightnings, and his principal warriors, viz.: Has a Tomahawk, Red Owl, Sets the Earth on Fire and Speaks Suddenly.

Of Wacouta's Band—Chief Wah-koo-tay, the Shooter, his head soldier, Iron Cloud, and his principal warriors, Good Iron Voice, Stands on the Ground, Stands Above, Sacred Fire, the Ghost Killer, Red Stones, Sacred Blaze and Iron Cane.

Of Cloud Man's Band—Chief Cloud Man, his head soldier, the Star, and his principal men, Little Standing Wind, Scarlet Boy, Smoky Day, Iron Elk, Whistling Wind, Strikes Walking, Sacred Cloud, and Iron Tomahawk.

Of Gray Iron's Band—Chief Gray Iron, his head soldier, Bad Hail, and his principal warriors, Little Whale, the Smoker, Other Wind and the Rambler.

Of Good Road's Band—Chief Good Road, his head soldier, Roaring Walking Wind, Track Maker and Dog.

Of Shakopee's Band—Chief Shakopee, his head soldier, Stands Astride, and his principal warriors, Eagle Head, Round Wind, Pounds to Pieces, Walks Across a Cloud, Speckled Cloud and Iron Medicine Rattle.

WAHPAKOOTAS.

Head Chief, Walking Whistling Horn, or Red Legs, his head soldier, Pay-Pay, or the Sharp, and his principal men, Red Armor, the Third Son, Gray Crest, Voice That Can Be Heard, Bad Cloud, His Mind, and Fearful Night.

Of the signers those who became most distinguished or notorious were, Little Crow, the leading character of the great Out-

break of 1862, and who died as he wished, while fighting his enemies. His head soldier, Medicine Bottle, was the noted murderer hung with Chief Shakopee at Fort Snelling in 1865. Black Tomahawk was a noted warrior and hunter. Rattling Runner, was one of the thirty-eight Sioux hung at Mankato, in December, 1862. White Dog became a "civilized" farmer, Indian, but renegaded in 1862, figured prominently in the deadly ambuscade at Redwood Ferry, and was also hung at Mankato, though protesting his innocence. The Walker on the Sacred Stones (Old Too-kah-nah-na-manne) had been head soldier of the Kaposia band for old Big Thunder, and for His Red Nation. He finally became a Christian Indian, took the name of William Columbus, and died near Morton. Good Thunder became a farmer Indian, a scout under Sibley, a Christian, and died near Morton in 1904.

Of Wabasha's particular band the chief led his warriors in the outbreak, although he was opposed to it and was one of the first to make proposals for peace even while his nation was in arms. He died in Nebraska, not long after the close of the Civil War. His father and grand-father were noted Sioux chiefs, and he was the last head chief of the Medawakanton band. Chief Wacouta, like Wabasha, was opposed to the outbreak and performed many kindnesses for the white women who were captives, although he led his warriors in battle. Chief Cloud Man, of the Lake Calhoun band, had been a friend of the missionaries and of the civilization of his people, and worked in his corn field and garden, "like a woman," the other Indians said, although he never became a Christian. Smoky Day was a noted fighter. A few years previously, with but five other warriors, he went down into Iowa, raided a Sac and Fox village and brought back fourteen scalps. Chief Gray Iron died a few years after the treaty and was succeeded by his son, Great War Eagle, (commonly called Big Eagle), who died near Granite Falls in the winter of 1906. Bad Hail was prominent as a head soldier and at one time was a sub-chief of a small band. Chief Good Road was at the head of but a small band. Chief Shakopee or Six died at the Redwood Agency in about 1860 and was succeeded by his

son—commonly called Little Six—who was hung at Fort Snelling in December, 1865. Round Wind was sentenced to be hanged in 1862, but was reprieved when it was definitely ascertained that his conviction and sentence had been without cause and justification.

There was but one band of the Wahpakootas, and the chief who signed his name "Walking Whistling Horn" was more generally known as Hu-sha-sha, or Red Legs. He took part in the outbreak but only as a soldier. He died at Santee Agency, Nebraska, in about 1895.

When the ceremony of signing the treaty was completed, both at Traverse des Sioux and Mendota, each Indian signer stepped to another table where lay another paper which he signed. This was called the traders' paper and was an agreement to pay the "just debts" of the Indians including those present and absent, alive and dead—owing to the traders and the trading company. Some of the accounts were nearly thirty years standing, and the Indians who contracted them were dead; but the bands willingly assumed the indebtedness and agreed that it might be discharged out of the first money paid them.

By the Treaty of Traverse des Sioux the two upper bands, the Sissetons and Wahpatons ceded all of their ownership and claims to interest in the lands east of Lake Traverse and the Sioux River to the Mississippi, except a reservation running eastward from the west line of the ceded territory to the mouth of the Yellow Medicine and Hawk Creek, along the Minnesota River and twenty miles in width, or ten miles on either side of the river, or "ten miles on each side from the general course of said river." They were to remove to this reservation within two years after the ratification of the treaty.

The territory ceded by the Indians was declared to be: "All their lands in the State of Iowa and also all their lands in the Territory of Minnesota lying east of the following line to-wit: Beginning at the junction of the Buffalo River with the Red River of the North (about twelve miles north of Moorhead, at Georgetown station, in Clay County); thence, along the western bank of said Red River of the North, to the mouth of the

Sioux Wood River; thence along the western bank of said Sioux Wood River, to Lake Traverse; thence along the western shore of said lake, to the southern extremity thereof; thence, in a direct line, to the juncture of Kampeska Lake with the Tehan-Ka-sna-duta, or Sioux River; thence, along the western bank of said river to its point of intersection with the northern line of the State of Iowa; including all islands in said rivers and lakes."

The consideration to the upper bands was the reservation twenty miles wide—ten miles on each side of the Minnesota—and extending from the western boundary to the mouth of the Yellow Medicine, and Hawk Creek and $1,665,000 payable as follows: "To enable them to settle their affairs and comply with their present just engagements," construed to mean the amounts they owed the traders, and to enable them to remove to their new reservation and subsist themselves for the first year, $275,000, to be expended under the direction of the President, in the erection and establishment of manual labor schools, mills, and blacksmith shops, opening farms, etc., $30,000. The balance, ($1,360,000) to remain in trust with the United States and five per cent interest thereon, or $68,000 to be paid annually for fifty years from July 1, 1852. This annuity was to be paid as follows: In cash $40,000; for general agricultural improvement and civilization fund, $12,000; for goods and provisions, $10,000, and for education, $6,000.

The lower bands were to receive $1,410,000, to be paid in the manner and form following: For settling debts and removing themselves to the new reservation, $220,000—one-half to the Medawakanton bands, and one-half to the single Wahpakoota band—for schools, mills, opening farms, $30,000. Of the principal of $1,410,000 the sum of $30,000 in cash was to be distributed among the two bands as soon as the treaty was ratified, and $28,000 was to be expended annually under the President's direction, as follows: to a civilization fund, $12,000; to an educational fund, $6,000; for goods and provisions, $10,000. The balance of the principal, or $1,160,000 was to remain in trust with the United States at five per cent interest to be paid annually to the Indians for fifty years, commencing July 1, 1852.

The $58,000 annuity interest was to be expended as the first installment—$30,000 in cash, $12,000 for civilization, $6,000 for education, and $10,000 for goods and provisions. The back annuities under the treaty of 1837 remaining unexpired were also to be paid annually. Their reservation was to extend from the mouth of the Yellow Medicine and Hawk Creek southeasterly to the mouth of Rock Creek, a tract twenty miles wide and approximately forty-five miles in length. The half-breeds of the Sioux were to receive in cash $150,000 in lieu of the lands allowed them under the Prairie du Chien treaty of 1830, but which they had failed to claim.

The territory purchased from the four Sioux bands was estimated to comprise about 23,750,000 acres, according to Mr. Thomas Hughes computation, of which more than 19,000,000 acres were in Minnesota, nearly 3,000,000 acres in Iowa, and more than 1,750,000 acres in what is now South Dakota. The last mentioned tract embraced the country east of a line from the southern extremity of Lake Traverse to the junction of Lake Kampeska (or Mushroom Lake) with the Sioux River, and thence along the western bank of the Sioux River to the northern boundary of Iowa. The ceded lands in Iowa were north of the Rock River, and also included the country around Estherville, Emmetsburg, and Algona, and extending eastward by the town of Osage almost to Cresco, the county seat of Howard County. The aggregate price paid was about twelve and one-half cents per acre.

It was never entirely clear by what right the Sioux claimed the country in Iowa, or even that in the extreme southwestern part of Minnesota, since they had never made anything approximating a permanent occupation therein. Indeed, the only occasion when they had visited the districts was at the times of their excursions against the Sacs and Foxes of the Upper Des Moines, or when they were in search of buffalo in that region or about Lake Shetek. Inkpadoota's band of from a dozen to twenty persons occasionally visited the region, but they were outlaws from the Sioux, were not parties to the treaty, and had no right of possession or occupancy of any country, save that which a pack of wandering, ravenous wolves might have.

As a matter of fact the Sioux did not claim to own the territory as land is commonly owned. Their muniments of title were vague and very imperfect. After having been themselves driven from the country east of the Mississippi by the Chippewas, they had crossed to the west bank and driven a band of Iowa Indians from the country about Fort Snelling, and established themselves along the Mississippi and Minnesota, where there were plenty of wood and water, fish and game, wild rice and tipsinna and where corn and beans could be raised by the women without much effort.

But the whites admitted the Indian ownership, as if it had been in fee simple, from the time of Pike's treaty all along for more than forty years, and so in 1851 they were estopped from denying it. This was the best policy, and perhaps the only righteous one. And although the untutored and unintelligent Indians were almost as incapable as idiots or children of making a formal legal contract, in the stilted language of the white man's terms as to "hundreds of thousands of dollars," their deficiencies were ignored and the disqualification point was waived. Although they had very imperfect ideas of the value and proper use of money or land, yet the Government assumed that they had a competent knowledge of both of these subjects to the extent that they were entirely competent parties to the most solemn and important of contracts.

The written copies of the Traverse des Sioux and Mendota treaties, duly signed and attested, were forwarded to Washington to be acted upon by the Senate at the ensuing session of Congress. An unreasonably long delay resulted. Final action was not had until the following summer, when, June 23, the Senate ratified both treaties, but made important amendments. The provisions for reservations for both the Upper and the Lower bands were stricken out and substitutes adopted stipulating to pay ten cents an acre for both reservations, and authorizing the President, with the assent of the Indians, to cause to be set apart other reservations, which were to be without the limits of the original great cession. The provision to pay $150,000 to the half bloods of the lower bands was also stricken out.

The treaties came back to Minnesota for the ratification by the Indians and the amendments and their agreement to the change. The chiefs of the lower bands at first objected very strenuously, but finally on Saturday, September 4, 1852, at Governor Ramsey's residence, in St. Paul, signed the amended articles, and the following Monday the chiefs and headmen of the upper bands affixed their marks. As amended the treaties were proclaimed by President Fillmore, February 24, 1853.

The Indians were allowed to remain in their old villages, or, if they preferred, to occupy their reservations as originally designated, until the President selected their new homes. That selection was never made; the original rservations were finally allowed them. But for two years the greater part of the Indians lived upon these reserved lands and had the use of them, while during the same period the Government was paying them five per cent. upon the principal sums which, by the Senate amendment, were to be paid for the lands.

The Upper reservation was estimated to contain 1,120,000 acres; at ten cents per acre it would cost $112,000 and five per cent interest upon that sum amounted to $5,600 annually. The Lower reservation contained 690,000 acres, and the annual interest on the designated purchase price was $3,450. Thus in the two years mentioned the upper and lower bands received in the aggregate $18,000 as interest upon the lands which they continued to occupy and use. Instances wherein the Indians got the better part of a bargain with the Government are so rare that this one may be particularly mentioned.

Upon the good advice of those qualified to give it—the Indian agents, the traders, and others—President Pierce, refused to select new reservations for the Sioux. Finally, by a paragraph in the Indian appropriation bill of 1854, (approved July 31) the original reservations designated in the Treaties of 1851 were confirmed to the Indians and thus the treaties were allowed to stand as they were originally made. The Lower Indians began moving up to their new homes in the fall of 1852; others removed in 1853. Pay-Pay's band of Wahpakootas, near Faribault, never removed. A few other families of the Lower Sioux re-

fused to leave their old sites, and practically none of their mixed blood relatives would go to the new reservation called the Redwood. The Upper Indians willingly accepted their new reserve, for it was there they had lived for many years. They made but few changes in the sites of their villages, which were nearly all within the confines of the Upper reservation called the Yellow Medicine.

The effect of the Treaties of 1851 was felt immediately after they had been first signed. As soon as that formality was over, a considerable sum of money due the Indians under the Treaty of 1837 was paid them in hand; it had been held back to influence their signing. All of it went at once into circulation among the impecunious and needy settlers, and everybody got some of it. The people at St. Paul were especially benefited. The *Pioneer* of August 14 says:

> Last Thursday was a lively day in St. Paul. Indians were all over town with double-eagles. Third street was converted into a temporary horse bazaar. Dogs were also in demand. On Friday every Indian that had a horse was anxious to try its speed. Various contests were witnessed between old wheezy cart-horses, running quarter-races at the north end of Jackson street in sand ankle deep. A large multitude witnessed these races.

But Goodhue, in the *Pioneer,* made another and a far different kind of a comment upon the Mendota treaty. In great hope and exultation he wrote that it was the greatest event by far in the Territory's history subsequent to its organization. "It is the pillar of fire that lights us into a broad Canaan of fertile lands," he said. In a prophetic but most exuberant vein he went on to predict for Minnesota in the near future a period of splendid civilization and prosperity, some of whose features should be fine productive farms, thriving cities and towns, numerous railroads, and speedy inter-communication with the outer world.

Although the treaties had not been ratified, the fact that they would be was reasonably certain, and the effect was of the greatest and most important magnitude upon the destiny of Minnesota. Although the season was late there was an increase of immigration during the remainder of the year. Many set-

tlements were made west of the Mississippi without waiting for the complete extinguishment of the Indian title. Capital came in for investment, and numerous enterprises of a varied character were projected and begun. Althogether, as the pioneer editor wrote, the treaties were of great influence upon the new Territory.

Chapter XXIV.

THE TREATY OF PEMBINA.

IN the early autumn of 1851 Governor Ramsey made a treaty at Pembina with the Pillager band of Chippewas for the cession of a portion of the territory claimed by them on the lower Red River. The ceded country was about one hundred fifty miles in length by sixty-five miles in width, and from north to south was fairly divided by the Red River of the North. The northern boundary of the cession was the forty-ninth parallel of latitude and the southern boundary was Goose River, on the west side, and Buffalo River, on the east side of Red River. The Government was to pay $30,000 cash in hand and $10,000 a year for twenty years as the purchase price.

Governor Ramsey and a party of ten civilians left St. Paul August 18, and returned October 28. An escort of twenty-five dragoons from Fort Snelling, under Lieutenant Carley, escorted the treaty commission to Pembina and back.

The Senate refused to confirm this treaty and it therefore never went into effect. Both the settlers in the Pembina region and the Pillager Chippewas were greatly disappointed over the result. Subsequently another Pembina treaty was effected.

On the second of October, 1863, a treaty was concluded at the old crossing of Red Lake River, about twelve miles east of the present city of Crookston, by Alexander Ramsey and Ashley C. Morrill, and the chiefs and head men of the Red Lake and Pembina bands of Ojibway Indians, for the cession of a large tract of country. Commencing at the intersection of the national boundary with the Lake of the Woods; thence in a south-

west direction to the head of Thief River; thence following that stream to its mouth; thence southeasterly in a direct line toward the head of Wild Rice River, and thence following the boundary of the Pillager cession of 1855 to the mouth of said river.; thence up the channel of the Red River to the mouth of the Sheyenne; thence up said river to Stump Lake, near the eastern extremity of Devil's Lake; thence north to the international boundary; and thence east on said boundary to the place of beginning. It embraced all of the Red River Valley in Minnesota and Dakota, except a small portion previously ceded, and was estimated to contain 11,000,000 acres. This treaty was ratified by the Senate, with amendments, March 1, 1864. The Indians, on the 12th of April, 1864, assented to the amendments, and President Lincoln, by his proclamation of the 5th of May, 1864, confirmed the treaty.

LOWER INDIANS OCCUPY THEIR RESERVATION.

The removal of the Lower Indians to their designated reservation began in the summer of 1853, but was intermittent, interrupted, and protracted over a period of two or more years. The Indians went up in detachments, as they felt inclined. After living on the reservation for a time some of them longing for the scenes and associations of former days returned to their old homes about Mendota, Kaposia, Wabasha, and the Cannon River country, where they lived continuously for some time, visiting their reservation and agency only at the time of the payment of their annunities. Finally, by the offer of cabins to live in, or other substantial inducements, nearly all of them were induced to settle on the Redwood Reserve, so that in 1862, at the time of the outbreak, less than twenty families of the Medawakantons and Wahpakootas were living off their reservation.

With the establishment of the new Indian reserve and the removal of the Indians thereto, came the necessity of a new military post in Minnesota. The concentration of so many Indians upon an area really small in comparison with the country a part of which they had occupied, and all of which they

claimed to own, rendered the situation important and worthy of attention. A military post was necessary to preserve order among the savages and remind them that their Great Father was keeping watch and ward over them, ready to protect and encourage the good and to repress and punish the bad. There were to be two Indian agencies for the Indians on the reservation. The Upper agency, for the Sissetons and Wahpatons, was established at the mouth of the Yellow Medicine, and the Lower, for the Medawanton and Wahpakoota bands, was placed about six miles east of the mouth of the Redwood. Both agencies were on the south bank of the Minnesota River.

The matter of the new military post was called to the attention of C. M. Conrad, then Secretary of War, and General Winfield Scott, then commanding the regular army, by Delegate Henry H. Sibley.

General Scott concurred in Sibley's recommendation and the Secretary of War approved it, and issued the necessary orders. In the fall of 1852 Captain Napoleon Jackson Tecumseh Dana, then of the quartermaster's department, and Colonel Francis Lee, then in command at Fort Snelling, were ordered to select a suitable site for the new fort, "on the St. Peter's River, above the mouth of the Blue Earth."

In the latter part of November, with an escort of dragoons from Fort Snelling and after a three days' march in the snow, the officers reached Laframboise's trading post, at the Little Rock. Five miles above the Rock, on the crest of the high bluff on the north side of the Minnesota, the site was fixed.

The new post was named Fort Ridgely, in honor of Major Randolph Ridgely, a gallant officer of the regular army from Maryland, who died of injuries received at the battle of Monterey.

When Fort Ridgely was established Fort Riley, Kansas, was ordered built. At the same time Fort Dodge, Iowa, and Fort Scott, Kansas, were ordered discontinued and broken up.

Fort Ridgely took the place of Fort Dodge, and Fort Riley was substituted for Fort Scott. The first garrison at Ridgely was composed of Companies C. and K. of the Sixth Infantry,

and the first commander was Captain James Monroe, of Company K. Companies C and K went up on the steamboat West Newton from Fort Snelling, but later were joined by Company E, which marched across the country from Fort Dodge, and arrived in June, 1853, when work on the buildings was begun. When Company E arrived its captain, Brevet Major Samuel Woods, previously well identified with Minnesota history, took command by virtue of his rank. The work of constructing the fort was in charge of Captain Dana.

THE TREATY OF 1858.

June 19, 1858, the government made a treaty with the chiefs and braves of the Medawakanton, Wahpakoota, Sisseton, and Wahpaton bands of Sioux for the cession of their reservation, ten miles in width, on the north side of the Minnesota, and extending from the west line of the State to Rock Creek, four miles east of Fort Ridgely. The area purchased amounted to about 8,000,000 acres, and the price to be paid was subsequently (but not until June 27, 1860,) fixed by the Senate at thirty cents an acre. The Indians agreed that, in the aggregate for the four bands, the sum of $140,000 might be taken from the purchase price to pay their debts owing to the traders—or, as the treaty expressed it, "to satisfy their just debts and obligations."

The influx of white settlers into the country of the Minnesota Valley, where were some of the finest lands in the State, had been very large after the Indian title to the greater part of the country had been extinguished. The magnificent domain comprising a great part of what are now the southern portions of Renville, Chippewa, Swift, and Big Stone Counties was looked upon with covetous eyes by the homeseekers. The waves of immigration beat against the legal barrier which surrounded this fine fertile expanse, and there was a great clamor that the barrier should be removed. "The country is too good for Indians," said the whites. The Indians themselves had not to any considerable extent occupied the north half of their reservation. Their villages and nearly all of their tepees—except about Big Stone

Lake—were situated in the south half. And yet a majority of the Indians were opposed to selling any portion of their north side reserve. They would neither use it themselves nor let any body else use it, but they would not part with it.

The head chiefs and the headmen were generally willing to sell the north side strip if they could get a good price for it. Major Joseph R. Brown, then the Sioux agent, consulted with them and at last a number of them agreed to accompany him to Washington to make a treaty. Not all of the sub-chiefs nor all of the headmen could be induced to go; some of them were opposed to the sale of the land, and others were afraid of the results of a hostile public sentiment. It required all of Major Brown's great influence with the Sioux to effect the important negotiations. The Indians went to Washington in something like imposing array. Major Brown gave high silk hats and other articles of the white man's adornment to those who would wear them, and there accompanied the party a retinue of whites and mixed bloods from Minnesota. A. J. Campbell (commonly called "Joe" Campbell) was the official interpreter, but assisting him was the shrewd old Scotchman, Andrew Robertson, and his mixed blood son, Thomas A. Robertson. Other members of the party were Nathaniel R. Brown, John Dowling, Charlie Crawford and James R. Roche.

On behalf of the United States the treaty was signed by Charles E. Mix, then Commissioner of Indian Affairs. The Indians who signed it were these:

Medawakantons—Chiefs Wabasha, Little Crow, Traveling Hail, Shakopee, (Six), Great War Eagle, and Blue Earth. Headmen: Iron Light, Scarlet Owl, Iron Elk, Medicine Bottle, Iron War Club, His Thunder, Little Whale, and Has a War Club.

Wahpakootas—Chief Red Legs. Headmen: Pay-pay (Sharp) The Thief, and Scattering Wind.

Sissetons and Wahpatons—Chiefs, Red Iron, Scarlet Plume, and Extends His Train. Headmen: Stumpy Horn, The Planter, Walks on Iron, Paul Mah-zah-koo-te-Manne, John Other Day, and Strong Voiced Pipe.

The small number of dignitaries named assumed to act for the entire Sioux of Minnesota. It is not a matter of surprise that there was dissatisfaction among the bands on account of the limited list of their representatives on so important an occasion.

After the treaty had been signed the Indians were sumptuously entertained, given broadcloth suits, high "plug" hats, and patent leather shoes to wear, and had a grand good time, all at the expense of the Government. They were photographed and taken to the theaters, and allowed to return home by way of Baltimore, New York, Philadelphia and Chicago. When they returned to Minnesota their tales of the magnificence and strength of the whites were listened to by their people with interest and in some measure reconciled them to what had been done.

The opening of the "north ten-mile strip," as the land was called, was of great benefit to the development of Minnesota, at least for a time. Settlers came in considerable numbers, and the country was improving rapidly when the Civil War disarranged everything throughout the whole country. Then in 1862 came the Sioux Outbreak and all of the civilization on the ten-mile strip was washed off by a great wave of blood and fire.

THE RAMSEY INVESTIGATION OF 1853.

During the greater part of the year 1853 public attention in Minnesota and elsewhere in the country was directed to an official investigation of the conduct of Ex-Governor Ramsey in connection with the payment of the Indians under the treaties of 1851. The payment had been made to the Upper Band in October, 1852, at Traverse des Sioux, and the Lower bands at Mendota, in December. At both payments the Indians protested against paying any of their money in discharge of their debts to the traders. They had at both treaties signed a paper providing for the payment of these debts, but subsequently claimed that the nature of the "second paper" they had signed was misrepresented to them as merely another copy of the treaty.

At Traverse des Sioux, the Indians, protest against paying the traders took the form of menace and violence on the part of Chief Red Iron and his band, and quiet was secured only by the soldiers present and the seizing and imprisoning of Red Iron. But Governor Ramsey was firm in his purpose that the Indians should comply with their contracts and agreements, and at Traverse des Sioux he paid the traders $210,000, which, he said, "paid $431,735.78 of Indian indebtedness;" at Mendota he paid the traders $70,000, which he said "according to the traders' books of account paid $129,885.10 of indebtedness."

In December, 1852, charges of conspiracy with H. H. Sibley, Franklin Steele, and others to defraud the Indians; that he had made unlawful use of the public funds by depositing them in a private bank and exchanging the Government gold for the bills of that bank; that he had been guilty of tyrannical conduct toward the Indians in connection with the payment of the sums due them, were made against Governor Ramsey. The authors of the charges were Madison Sweetzer, of Traverse des Sioux, and Colonel D. A. Robertson, of St. Paul. Sweetzer was a trader, who had rather recently located at Traverse des Sioux and was connected with a rival company to that of Pierre Chouteau, Jr., and Company, the corporation to which Sibley, Steele, and the others charged with conspiracy belonged. Colonel Robertson was the editor of the Minnesota Democrat, which was the organ of the faction controlled by H. M. Rice, then the opponent, and in effect, the enemy of Sibley and Ramsey.

The allegations against Governor Ramsey were, that he had paid the traders various sums of money without the right to do so, and that for so doing he had been paid by the beneficiaries, and thus in effect, had been bribed to violate the law and his duty.

At the request of Mr. Sibley, then the delegate in Congress, Senator Gwin, of California secured the passage of a Senate resolution (April 5, 1853,) ordering the investigation of the charges against the ex-Governor. At the same time the Governor's accounts as paymaster under the treaties were held up until the investigation should be concluded. President Pierce appointed

Richard M. Young, of Ohio, and Governor Willis A. Gorman, of Minnesota, commissioners to investigate, during which testimony was given by Madison Sweetzer, Dr. Charles Wolf Borup and Joseph A. Sire. The investigation was then turned over to the two commissioners.

The investigation and the taking of testimony began at St. Paul July 6, and was concluded October 7, 1853. A large number of witnesses were examined—whites, Indians, and mixed bloods. Some of the most prominent citizens of the Territory testified—Sibley, Brown, McLeod, Steele, Forbes, and Alexander Faribault, the traders; Reverends Riggs and Williamson, of the missionaries; Dr. Thomas Foster, Captain W. B. Dodd, Henry Jackson, and David Olmsted, of the citizens; Wabasha, Little Crow, Wacouta, Red Iron, Grey Iron, Shakopee, the Star, and Cloud Man, of the Indians; Captain James Monroe, of the Army, Indian Agent Nathaniel McLean, and many others.

Commissioner Young made an official report of the investigation to the Commissioner of Indian Affairs, which bears date December 20, 1853. This report criticised the conduct of Governor Ramsey in depositing the Government funds in a private bank and in paying out large amounts in bills and drafts on that bank to beneficiaries under the treaty. It also contained some strictures upon certain features of the Governor's conduct, but made no charges whatever of his guilt in the matter of a conspiracy with the traders, or that he had acted corruptly in any particular, making no insinuations or the slightest suggestion that he had been paid any sum for what he did.

The whole matter of the investigation, including a stenographic report of the testimony taken, is to be found of record in a government publication of several hundred pages officially entitled "Ex. Doc. No. 29, 32d Congress, 2d Session: Report of the Secretary of the Interior in Answer to a Resolution of the Senate Relative to the Allegations of Fraud by Alexander Ramsey." The Historical Society has rebound the document and labeled the volume, "Sioux Treaty of 1851."

The matter was finally disposed of much to the credit of Governor Ramsey, by the action of the Senate, February 24,

1854. On that date Senator James Cooper, of Pennsylvania, from the Committee on Indian Affairs, presented a report on the subject of the Ramsey investigation, saying:

> The committee unanimously have acquitted Governor Ramsey of all impropriety of conduct; and one of the gentlemen [Col. D. A. Robertson] who preferred the charges has had the manliness to come out and say that after hearing the testimony he is entirely satisfied and that Governor Ramsey should be acquitted of all blame. I ask that the resolution with which the report closes be passed now; the committee have unanimously recommended it:
>
> Resolved, That the committee be discharged from the further consideration of the subject; and that the accounts of Governor Ramsey growing out of disbursements of the funds referred to in this report be settled by the proper department.

The resolution was considered by unanimous consent and agreed to. Colonel Robertson, a political opponent of Governor Ramsey's was glad to withdraw the charges against the Governor, and for many reasons, the charges by Sweetzer were considered of no account. Governor Sibley then, and always, insisted upon the absolute innocence of Governor Ramsey in the whole transaction.

Chapter XXV.

BOUNDARIES BETWEEN MINNESOTA AND IOWA.

AFTER the creation of Iowa Territory, in the summer of 1838, all that part of Minnesota west of the Mississippi River belonged to that Territory, which embraced "All that part of the (then) present Territory of Wisconsin which lies west of the Mississippi River and west of a line drawn due north from the head-waters or sources of the Mississippi to the Territorial line."

Iowa remained a territory from 1838 to 1846. The greater part of Southern and Southeastern Minnesota was within the jurisdiction of Clayton County. Henry H. Sibley was a justice of the peace of that county. The county seat was 250 miles distant and his jurisdiction extended over a region of country, "as large as the empire of France," he said.

The first convention to form a constitution for Iowa preparatory to the admission of the State into the Union convened at Iowa City, October, 7, 1844, completing its work November 1, following. It was provided that the constitution adopted, together with any conditions or changes that might be made by Congress, should be submitted to the people of the Territory for their approval or rejection, at the township elections in April, 1845. The boundaries of the proposed new State, as defined by the constitution, were as follows:

* * * Thence up in the middle of the main channel of the [Missouri] River last mentioned to the mouth of the Sioux or Calumet River; thence in a direct line to the middle of the main channel of the St. Peter's River where the Watonwan River—according to Nicollet's map—enters the same; thence down the middle of the main channel of

said river to the middle of the Mississippi River; thence down the middle of the main channel of said river to the place of beginning.

The mouth of the Sioux or the Calumet is within a mile or more of the present site of Sioux City. The proposed boundaries, if adopted, would have rejected from Iowa a great part of the present Plymouth, O'Brien, Osceola, and Dickinson and all of Lyon Counties, but would have included the following counties now in Minnesota: All of the counties south and east of the Minnesota River as far as Mankato, including Faribault and nearly all of Martin, the greater part of Blue Earth and portions of Watonwan, Cottonwood and Jackson. The Watonwan[1] empties into the Blue Earth and the latter stream into the Minnesota—or the St. Peter's, as it was then called—but the constitution builders did not seem well informed as to these facts, and seemed to believe that the Watonwan was the stream emptying into the Minnesota.

But the errors in phraseology amounted to little. Congress rejected the boundaries described in the proposed constitution. March 3, 1845, it substituted an enabling act which, if it had been adopted by the people, would have admitted Iowa into the Union as a State with the following boundaries:

Beginning at the mouth of the Des Moines River, in the middle of the Mississippi; thence by the middle of the channel of that river to a parallel of latitude passing through the mouth of the Mankato or Blue Earth River; thence west along said parallel of latitude to a point where it is intersected by a meridian line seventeen degrees and thirty minutes west of the meridian of Washington City; thence due south to the northern boundary line of the State of Missouri; thence eastwardly, following that boundary to the point at which the same intersects the Des Moines River; thence by the middle of the channel of that river to the place of beginning.

This meant that Iowa's northern boundary should commence on the Mississippi, in the northern part of what is now Winona County, near the site of Whitman Station, above Minnesota City, and run due west, through the now site of the City of Mankato to a point a little west of the village of Hanska, in

[1]Wa-ton-wan is a Sioux word meaning "the place of fish-bait." The accent is properly on the second syllable.

Brown County; the western boundary should be a line running from near Hanska, due south to the Missouri line.

The northern boundary, as fixed by Congress, would therefore have extended forty-two miles farther north than now, taking eleven fine counties from what is at present known as Southeastern Minnesota, namely: Houston, Winona, Fillmore, Olmsted, Dodge, Mower, Freeborn, Steele, Waseca, Faribault, and Blue Earth, and a part of Brown, Watonwan, and Martin.

The western boundary would have cut off from Iowa, as now formed, thirty one counties of the Missouri slope and the Des Moines Valley. It would have run along about forty miles west of Des Moines. The State would have been about one hundred eighty miles wide from east to west and about two hundred fifty miles wide from north to south. This would have brought the geographical center near Cedar Falls and probably made that town or Waterloo the permanent capital. The State would have been about three-fourths of its present area, including the Minnesota counties. The Missouri River would have been from seventy-five to one hundred miles west from the western boundary.

The reason why Congress made the boundary changes and reduced the size of the proposed new State is not as interesting today as it was in 1845, when negro slavery existed in a considerable section of the Union. In 1845 a bill was brought in before the House of Representatives to divide the Territory of Florida and admit it as two States, although the area of the entire Territory was fully 3,000 square miles less than that of Iowa, which was trying to get in as one State. The object of the scheme to create the States of "East Florida" and "West Florida" was obviously to increase the number of slave States. A majority of the Committee on Territories was from the slave States and reported in favor of the division and admission. To offset this the minority of the committee from the free States reported in favor of the division of Iowa into two States. But in the House, where the relative strength of the sectional parties was the reverse of that of the committee, the action of that committee was overruled by a large majority of

members from the North, East and West, irrespective of party divisions, the leaders being Democrats. The clause for the division of Florida was stricken out and the boundaries of Iowa, against the protest of Delegate A. C. Dodge, were considerably curtailed and reduced, as has been noted.

The constitution, with the boundaries as fixed by Congress, did not meet with the opposition of the Iowa settlers that might have been expected. A powerful and influential party urged the adoption of the constitution, as Congress had returned it, and thus secure the immediate admission of the State. Very many of the people were tired of and discontented at their Territorial condition, and wanted to elect their own governor and other State officers and have all of the other rights and privileges of citizens of a sovereign State in the American Union. A decided majority of the voters of the Territory were Democrats and a majority of the men who had made the Constitution were of the same political faith, and hence the Constitution was regarded as a Democratic measure, even if it had been changed in some respects by Congress; consequently, as a party, the Democrats worked for its adoption, while the Whigs, as a party, opposed it.

Doubtless the Constitution would have been adopted, but for the efforts at a critical time of three prominent and accomplished young Democrats, Enoch W. Eastman, Theodore S. Parvin, and Frederick D. Mills. Realizing the irreparable mistake that the proposed division and dismemberment of Iowa would be, these far-sighted and fair-minded spirits flew in the faces of the leaders of their party and canvassed the Territory against the adoption of what they called the "bogus constitution—not the one the people made and want, but the one the office-seekers want." They enlisted as co-workers two more influential Democrats, Shepherd Leffler, subsequently one of the first congressmen from the State, and James W. Woods, and addressed numerous public meetings on the all-important subject.

But the Democratic leaders induced many Whigs to favor the constitution, and the contest was fierce and bitter. In the end, however, the organic instrument as it had been shaped by

Congress, was rejected, although by the narrow majority of 996. Another critical period of Minnesota's history was safely passed and the greater part of the present southeastern portion of the State saved to us, while the magnificent western slope of Iowa was preserved to that State.

Another constitutional convention for Iowa was held at Iowa City, in May, 1846. A new constitution with the boundaries of the State fixed as they now are was framed and in August adopted by the people by a vote of 9,492 for to 9,036 against it—the very slender majority for it of 456. This constitution, which is still in force and effect, was approved by Congress and the State admitted to the Union December 28, 1846. The preamble declares that the State is "a free and independent government."

It is startling to contemplate what would have been the result if five hundred Iowa voters who voted against the adoption of the congressional constitution had voted the other way. In that event Minnesota would have lost a large and very valuable portion of her present area and Iowa would have lost a large and magnificent expanse of her present domain. And if Eastman, Parvin, and Mills[1] had not made the efforts they did, it is quite probable that the people would not have been awakened to their interests and the voting would have been different.

MINNESOTA NO MAN'S LAND.

The year 1848 was an important period in Minnesota history. The events were (1) The adoption of a State government by Wisconsin, leaving the people and the settlements west of the St. Croix without a government; (2) The efforts of her people to secure a Territorial organization which, soon after, were successful; (3) The purchase from the United States of the sites of St. Paul and St. Anthony and of the surrounding lands; (4) The influx of new settlers, some of them with capital, edu-

[1]Enoch W. Eastman lived to become Lieutenant Governor of Iowa, etc.; T. S. Parvin became a well known public character, and F. D. Mills was killed in 1847, during the Mexican War.

cation, intelligence and bravery; (5) the rapid development of the country, and a general increase in trade.

Considering these epochal incidents in their order, it is proper to say that Wisconsin held its first constitutional convention at Madison in 1846, the session beginning October 5. The convention was held under an enabling act introduced in Congress the previous Jonuary by Morgan L. Martin, the Congressional Delegate, after having been modified in the Senate by an amendment introduced by Senator Stephen A. Douglas, the Chairman of the Committee on Territories. The constitutional convention opened at Madison, October 5, 1846. In the debates and discussions which naturally ensued it was soon developed that the people of the St. Croix Valley, especially those of the west side of that stream, and more especially those of the settlements at St. Anthony Falls, St. Paul, Stillwater, and the north of the St. Croix were very desirous of casting or cutting loose from Wisconsin and becoming merged within the proposed new Territory of Minnesota, even though the greater part of that projected Territory was expected to be west of the Mississippi. They claimed that they were far removed and isolated from the southern and eastern portions of the projected State of Wisconsin—which portions then, as perhaps now, were the centers of population west of Lake Michigan—and that they had neither social nor commercial interests with these sections. To be sure it is most probable that political ambition on the part of some of the leading men of the district greatly promoted the expressed idea.

Representing this idea William Holcombe, of St. Croix County, came into the convention as a delegate, and "fought for separation with much persistence and parliamentary skill. Mr. Holcombe sought to have the western or northwestern boundary line of Wisconsin commence at Trempeleau, or "Mountain Island," and run in a general direction northeastwardly to the mouth of the Montreal river, eastward from the present site of the City of Ashland, thus cutting out a vast portion of western and northwestern Wisconsin, including the present sites of Eau

Claire, Chippewa Falls, and much other valuable territory. His first amendment to the boundary act read:

> Commencing at the headwaters of the Montreal River, as marked by Captain Cram, thence southwest to a point a half degree due north of the highest peak on Mountain Island, on the Mississippi River, thence due south over said Mountain Island to the center of the channel of the Mississippi.

This amendment was rejected by the Convention (51 to 29) and filibustering ensued. Later, on the same day, on motion of Moses M. Strong, of Iowa County, an amendment to the same effect as Mr. Holcombe's was adopted—49 to 37. The next day, however, this vote was reconsidered and the amendment rejected—68 to 35.

But the St. Croix delegate, knowing the sentiments of his constituents, persisted in his scheme. He was by nature determined and self-confident and seldom yielded his convictions and designs to those of others,[1] and he contended unweariedly and continually for his designs. After a series of contests in the convention of some weeks, during which numerous amendments akin to his original article in the enabling act were offered. Mr. Holcombe at last secured the adoption—by 49 to 38—of the following proviso which was attached to the constitution adopted by the convention:

> Provided, however, that the following alteration of the aforesaid boundary be and hereby is proposed to the Congress of the United States as the preference of the State of Wisconsin, and if the same shall be assented to and agreed to by the Congress of the United States, then the same shall be and forever remain obligatory on the State of Wisconsin, viz: Leaving the aforesaid boundary line at the first rapids of the River St. Louis; thence, in a direct line southwardly, to a point fifteen miles east of the most easterly point of the River St. Croix; thence, due south, to the main channel of the Mississippi River to Lake Pepin; thence down the said main channel of Lake Pepin and the Mississippi, as prescribed in the aforesaid boundary.

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[1]Holcombe was a life long, and staunch Democrat, even when his party ceased to be dominant, or very popular. He was also a Presbyterian of the strictest sect. For many years he was captain and owner of a steamboat on the Mississippi, and his boat was always tied up on Sundays no matter how loudly his passengers protested.

March 3, 1847, Congress passed an act giving Wisconsin the desired permission to change her northwestern boundary in accordance with the Holcombe proviso. But at an election held on the first Tuesday in April following the people of the Territory rejected the constitution by a decided majority and the boundary question fell to the earth with it. In the entire Territory the vote was: For the constitution, 14,119, against, 20,233; majority against, 6,114. A special ballot was cast on the question of whether or not negroes or "men of African blood," should be allowed to vote. For negro suffrage there were 7,604 votes; against, 14,615. Some 13,000 voters did not care to express themselves on the question. In St. Croix County the vote stood: "For the constitution, 65; against 61. For negro suffrage, 1; against, 126. Five precincts held elections, viz: Stillwater, St. Paul, Gray Cloud, Marine, and St. Croix Falls. At the same election W. H. C. Folsom was elected sheriff over Walter R. Vail, by a vote of 72 to 58.

It will be noted that a very small majority of the St. Croix voters favored the constitution, notwithstanding the opinion that its provisions were highly advantageous to the interests of the valley. There were objections to other features of the organic instrument. It absolutely forbade the chartering of any bank, whether of issue or deposit, and no branch bank of any other State was allowed. After 1849 no bank bill of a less denomination than $20, was allowed to circulate within the State. The State was forbidden to loan its credit to or engage in any work of public improvement, unless grants of land and other property had been made to the full amount of the improvement, and the land grant in favor of the Rock River Canal project was rejected. Married women were given unusual rights, although these amounted only to the right to manage and control their own property. Churches and cemeteries were not exempted from taxation, and there were other offensive provisions and innovations against long established laws and customs.

WISCONSIN'S BOUNDARY LINE.

A second constitutional convention assembled at Madison, December 15, 1847. George W. Brownell, a Connecticut man, thirty-seven years of age, according to the convention record, a geologist, and who lived at St. Croix Falls, represented St. Croix County.[1] The president of the convention was that staunch friend of the St. Croix Valley, Morgan L. Martin.

December 23, Byron Kilbourn, of Milwaukee, chairman of the committee on general provisions, reported a boundary article, which accepted the conditions of the enabling act of Congress, but with the proviso that the western and northwestern boundary line of the State should leave—

> The aforesaid boundary line at the foot of the rapids of the St. Louis River; thence in a direct line, bearing southwesterly to the mouth of Rum River, where the same empties into the Mississippi River; thence down the main channel of the Mississippi River, as prescribed in the aforesaid boundary.

This amendment was strenuously opposed by the people of the St. Croix Valley and vigorously fought by Delegate Brownell. It sought to secure to Wisconsin the whole of what are now the Minnesota counties of Washington and Ramsey, and part of Hennepin, and considerable portions of Anoka, Isanti, Chisago, Pine and Carlton.

Delegate Brownell proved a worthy successor to William Holcombe on the western boundary question. On January 7, 1848, he introduced to the boundary articles an amendment which was essentially the same as that for which Holcombe had contended in the Convention of 1846, and which fixed as the western boundary of Wisconsin a straight line from the headwaters of the Montreal River to a point in the Mississippi, a half degree north of Trempeleau Island. The mouth of the Montreal River now forms a portion of the northeastern boun-

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[1]Folsom (p. 107) says Brownell was a native of New York but the printed proceedings of the Convention (q. v.) says he was born in Connecticut. He was killed in Colorado by the Indians in 1866.

dary of Wisconsin, and if the Brownell amendment had prevailed Wisconsin would have been entirely cut off from Lake Superior and communication through a part of her own territory with the outer world. This point was made by some of the members of the convention, and was quite influential in accomplishing the rejection of the amendment.

Speaking in advocacy of his amendment Mr. Brownell said that it equitably divided the Territory into two parts, according to the spirit of Senator Douglas's proposition, and also "conformed to a natural geographical division;" that the people of the Territory which was proposed to be set off were severed from the settled portions of Wisconsin by: "A wide, uninteresting, and unsettled region of country of some 150 miles, which forms a reasonable barrier to a connection, and we feel that we cannot enjoy the benefits and protection of so distant a government. The settlements on the Black and Chippewa Rivers and those on Lake Superior have scarce ever been represented, and in the neighborhood in which I live, though we have some 200 inhabitants, there is not one civil officer; and this is the case with several other sections."

Summing up his arguments for what was called the Holcombe amendment, Mr. Brownell represented that the region he spoke for was a low and flat country, of no particular use or benefit to Wisconsin, being chiefly "characterized for its pine barrens, lakes, tamarack swamps and marshes," and that it would not pay the expense of surveying for ages to come. He further said that the people of Western Wisconsin had different pursuits, different interests, and different feelings and sentiments from the great body of the settlers in the Territory, and that their progress would be, "greatly hampered by being connected politically with a country from which they are separated by nature—cut off from communication by immense spaces of wilderness between." The speaker was permitted to live until a time when he could readily believe that the "immense spaces of wilderness" of 1848 would soon be reduced to a distance easily traversed by a swift moving railway train in a few hours, although he was not spared to see lines of railway between the eastern and west-

ern boundaries of Wisconsin and crossing the State in all directions, while the "wilderness" had become a cultivated and prosperous area.

Mr. Brownell won for his cause several members from the southern part of the Territory; but Fenton, of Prairie du Chien, said that only a portion of the people of Western Wisconsin were in favor of the Holcombe amendment. He called attention to the fact that in the vote in St. Croix County upon the adoption of the Constitution of 1846, which included the amendment, there was only a majority of four votes in favor of the constitution and the boundary. Others spoke against it and on the vote the amendment was overwhelmingly defeated. Rountree, of Platteville, Grant County, moved a substitute for the Holcombe amendment, fixing the western boundary as it is at present, was also voted down—30 to 21.

January 10, Mr. Brownell again offered the Holcombe amendment with slight modification, but it was voted down, fifty-two to five; the latter members being Brownell, Chase of Fond du Lac, Jackson of Racine, Larrabee of Dodge, and Reed of Marquette. Mr. Brownell then moved that the western boundary be a line from the mouth of Burnt Wood River to Lake Pepin, but this proposition received but two votes, those of the author and Mr. Chase. Finally the Rum River proposition was adopted.

During the debate on the western boundary question, it was quite apparent that the members well knew that there was a project afoot for the creation of a new Territory west of Wisconsin to be called Minnesota. Featherstonhaugh, of Calumet, said he hoped that members would recollect that they were "laying down boundaries for Wisconsin, not for Minnesota;" that the nearer one approached the Fond du Lac of Lake Superior "the better the copper region became," and the object of the citizens of St. Croix was to "filch as much of the lake shore as possible." He considered it "unjust to legislate away our birth right in favor of our sister Minnesota, yet unborn."

Mr. Jackson said he did not regard the Brownell amendment as a question of very great consequence to the people of

Wisconsin, but he would support it, because he thought it "desirable to have as many States in the Northwest as possible," thus clearly indicating that a new Territory, which would eventually become a State, was in prospect. Mr. Jackson further said that he believed the boundary by the amendment would give to Wisconsin sufficient Territory for a State and in a compact and convenient form, "and facilitate the formation of a State north of us."

Speaking against the Rum River boundary Mr. Brownell said: "To adopt the line as reported will be to inflict a blight upon the infant colony of my district, and it will be to blot out the star of Minnesota from the American banner."

Many of the speakers referred to the existence of copper in the country about the head of Lake Superior, but not one of them made any reference whatever to the existence of iron in that region. At that date the immense deposits of iron, so valuable a factor of the State's wealth and importance, were wholly unknown.

Upon the final adoption of the constitution, February 1, 1848, the convention adjourned and forwarded the result of its deliberations to Congress. The article on boundaries contained the following provisions as to the Northwestern and western lines:

* * * Thence down the main channel of the Montreal river to the middle of Lake Superior; thence through the center of Lake Superior to the mouth of the St. Louis River; thence up the main channel of said river to the first rapids in the same, above the Indian village, according to Nicollet's map; thence due south, to the main branch of the River St. Croix, thence down the main channel of said river to the Mississippi; thence down the main channel of that river to the northwest corner of the State of Illinois, etc.

These are the present boundaries of Wisconsin on the west generally, but the following were proposed, in the same article describing them to Congress, "As the preference of the State of Wisconsin," and which, if Congress agreed to them, were to be the permanent boundaries, viz:

Leaving the aforesaid boundary line at the foot of the rapids of the St. Louis River; thence, in a direct line, bearing southwesterly, to

the mouth of Iskodewaba[1] or Rum River where the same empties into the Mississippi River; thence down the main channel of the said Mississippi River, as prescribed in the aforesaid boundary.

Congress, however, refused to endorse the "preference" of the convention and the present boundary was established, by the act of May 29, 1848, admitting Wisconsin to the Union. Doubtless the congressional action was largely influenced by a memorial sent up by the St. Croix valley and St. Paul settlers. The Rum River boundary proviso had raised a storm; they wanted to become citizens of the projected new Territory of Minnesota. An earnest and somewhat fiery protest was made in a written petition, originally written by William R. Marshall,[2] which was circulated extensively and signed by all to whom it was presented. The memorialists, among whom were Joseph R. Brown, Franklin Steele, William R. Marshall, and others who became prominent in Minnesota affairs, said among other things:

Your memorialists conceive it to be the intention of your honorable bodies so to divide the present Territory of Wisconsin as to form two states nearly equal in size, as well as in other respects. A line drawn due south from Shagwamigan [Chequamegon] Bay, on Lake Superior, to the intersection of the main Chippewa River, and from thence down the middle of said stream to its debouchure into the Mississippi, would seem to your memorialists a very proper and equitable division, which, while it would secure to Wisconsin a portion of the Lake Superior shore, would also afford to Minnesota some countervailing advantages.

But if the northern line should be changed, as suggested by the convention, Minnesota would not have a single port on the Mississippi below the Falls of St. Anthony, which is the limit of steamboat navigation. This alone to the apprehension of your memorialists, would be a good and sufficient reason why the mouth of Rum River should not be the boundary, as that stream pours its waters into the Mississippi twenty miles above the Falls.

Besides this, the Chippewa and St. Croix valleys are closely connected in geographical position with the upper Mississippi, while they are widely separated from the settled parts of Wisconsin, not only by hundreds of miles of mostly waste and barren lands which must remain

[1]Fr. Baraga's Ojibwa Dictionary gives "Ishkotewaba" as signifying "ardent liquor, whisky, rum, brandy." The word means literally fire fluid, from "ish-ko-te" fire, and "waba" fluid.

[2]According to his statements to the compiler.

uncultivated for ages, but equally so by a diversity of interests and character in the population.

The strenuous and indignant protests of the memorial charging that the Rum River boundary was an "outrage" not to be "tamely submitted to," and the frequent use of such terms as "injustice," "tyranny," "oppression," etc., may be omitted. It must suffice to say that the settlers were very much in earnest. Moved by their strenuous remonstrances and by the representations of their agents in Washington, Congress took an unprejudiced view of the situation and saw that the Rum River boundary would render the new State of Wisconsin unsymmetrical and even misshapen. It was also plain to be seen that the proposed new Territory of Minnesota would be greatly injured if it were cut off from the north and east side of the Mississippi the entire length of the river below St. Anthony Falls. Moreover, it was easily manifest that the line of the St. Croix River was the natural and proper western boundary of Wisconsin. Finally Congress declined to consent to the Rum River proviso, and therefore the act of May 29, 1848, admitting Wisconsin to the Union, recognized and established only the boundaries specified in the enabling act of 1846. The Minnesota settlers were exultant over what they rightfully considered their victory, and at once set about forming a government of their own.

Chapter XXVI.

FIRST ATTEMPTS AT TERRITORIAL ORGANIZATION.

WITHOUT positive testimony there is strong circumstantial evidence that the idea of the organization of a territory of the United States to be called Minnesota originated with the active, enterprising and sagacious Joseph R. Brown.

In 1840 Brown had valuable interests at Stillwater, or "Dakotah," as he then called the place. In January, 1840, largely if not altogether through the influence of Mr. Brown—Saint Croix County, Wisconsin, was organized, with the county seat established at Dakotah. The same year, as the representative from St. Croix County, Mr. Brown was elected to the Wisconsin Legislature and he served in that body for two years. While a member of the Legislature he made the acquaintance and secured the close friendship of another member, Morgan L. Martin, of Green Bay. Mr. Martin was a lawyer of ability and a character of marked prominence in the early public affairs of Wisconsin. He was born in the State of New York in 1805 and located in Green Bay in 1827 and died at Madison, Wisconsin, December 10, 1887.

It may well be conjectured that the scheme for the organization of Minnesota was conceived by Brown about the time he secured the organization of St. Croix County, and that he unfolded it to Martin when the two were fellow members of the Legislature. If this be true, he probably designed that the capital of the new Territory should be at his town of Dakotah,

now Stillwater, and to this plan the St. Croix people were induced to consent.

The "Holcombe amendment" advocated by its author, William Holcombe, of St. Croix, in the Wisconsin Constitutional convention of 1846, and by Delegate George W. Brownell, in the convention of 1848 contemplated the formation of a Territory—and ultimately a State, of which Stillwater should be in the center of the inhabited portion from east to west. At that time Dakotah was the only regularly laid out and platted town in what is now Minnesota, and therefore the only place available for a capital city.

December 18, 1846, Morgan L. Martin, delegate from Wisconsin Territory, rose in his place in the National House of Representatives and gave notice "at an early day" he would ask leave to introduce a bill establishing the Territorial Government of Minnesota. On December 23, by leave, he introduced the bill which the record says, "was read twice and referred to the Committee on Territories." Of this committee Stephen Arnold Douglas, of Illinois, was chairman, and subsequently during his distinguished career in Congress he was chairman of the Senate Territorial Committee.

The name of the proposed Territory was given in the bill as Minnesota, with the spelling as here given. A few days after the death of Mr. Martin, December 10, 1887, Dwight I. Follette wrote a biographical sketch of the distinguished Wisconsian, which was published in the *Green Bay Gazette* of December 14. The following is extracted from this sketch:

> In September, 1845, Mr. Martin was elected Territorial Delegate to Congress over James Collins, Whig, and E. D. Holton, "Liberty" candidates. He took his seat as Delegate in the 30th Congress on the first Monday in December of the same year, and served until in 1847. He proved an active and influential representative. During his term Mr. Martin introduced a bill to create the Territory of Minnesota. The name "Minnesota" is, as is well known, the Indian name for the St. Peters River. Mr. Martin got the name, as he only recently told the writer, from Joseph R. Brown, who had been with him in the Wisconsin Territorial Legislature.

From all the circumstances it would seem that Mr. Martin not only obtained the name of the proposed Territory, but the idea of the bill providing for its organization, from Mr. Brown. The proof is largely negative; the distinction has never been claimed by or for any one else. The late General William R. Marshall assured the compiler that it was generally understood in the country at the time of the Stillwater convention and always afterwards that Mr. Brown originated the idea of the organization of the Territory and for its execution confided it to his friend and legislative associate, Morgan L. Martin.

On the 20th of January (1847) Mr. Douglas reported Mr. Martin's bill back to the House with an amendatory bill which was read twice and committed. February 17 it came up again in the Committee of the Whole, or, as the record says, the bill establishing the Territorial Government of *Itasca* was then taken up." In the Committee, Mr. Douglas had changed the name of the proposed Territory from Minnesota to Itasca, for the lake which is the source of the Mississippi. Delegate Martin was promptly on his feet and moved to amend the bill by striking out the word "Itasca" wherever it occurred and insert in lieu thereof the word Minnesota.

The vote on Mr. Martin's amendment was ordered taken; but just before the roll call, Robert C. Winthrop, of Massachusetts, rose and said that if the amendment proposed by Mr. Martin, to substitute the name of "Minnesota" for Itasca did not prevail, he would move to substitute the name of "Chippewa," for "Itasca."

Jacob Thompson, of Mississippi, subsequently Secretary of the Interior—said he disliked all these Indian names, and proposed to call the new Territory "Jackson" as a proper tribute to "Old Hickory," the hero of New Orleans.

Houston, of Delaware, suggested that if one of the future States of the Union was to be named after any American citizen, living or dead, he thought it would be decidedly better to name it for "the Father of His Country" and call it Washington. It was true, he said, that we have a national city bearing his beloved and ever honored name, but so had we various

towns, villages and counties which bore the name of Jackson. He thought if the name of any of our statesmen were to be fixed upon a State, the honor ought surely to be reserved for the man whose title would ever be, "the Father of His Country."

Campbell, of New York, hoped that the suggestion of Mr. Winthrop would be adopted and the new Territory called Chippewa.

The question was ordered taken on substituting "Itasca" for "Minnesota," when Thompson, of Mississippi, made the contention that it ought to be taken on his motion for "Jackson," as an amendment to the amendment. The Chair ruled the contention out of order, because it did not amend the amendment, but destroyed it entirely. The names, said the chairman, must be voted on separately, and in the order in which they had been moved. If "Minnesota" was rejected as the name then the motion of the gentleman from Mississippi would be in order.

The question being put on "Minnesota" it was agreed to without count. Then the Committee rose and reported the bill to the House as amended, when Mr. Douglas moved to amend the bill so that the sessions of the Territorial Legislature should be limited to forty days, and this was agreed to. The bill was then ordered engrossed and read the third time and passed without a roll call.

Mr. Winthrop stoutly contended for his amendment, and moved to amend the title of the bill by substituting "Chippewa" for "Minnesota," but the speaker ruled the amendment out of order, as the bill had passed. Mr. Winthrop said he would not press his amendment.

In the Senate the bill was taken up March 3, when, on motion of Senator Ashley, of Arkansas, the Senate proceeded to its consideration and the bill went before the Senate sitting as a Committee of the Whole.

Senator Evans, of Maine, asked what was the population of Minnesota, and Mr. Ashley answered that it was estimated at about 6,000. Mr. Evans asked if there had been any application from the inhabitants for the establishment of a government, and Mr. Ashley said that he was not informed of any.

Senator Huntington, of Connecticut, desired to know when there had been an enumeration of the inhabitants, intimating that there had been none. He moved to lay the bill on the table. Mr. Ashley said there had been no enumeration because there had been no government established.

Senator Evans asked if there had been lands sold or surveys made. Mr. Ashley replied that there had not, but that it was intended to send a surveyor into the Territory after the passage of this bill. Mr. Evans said bluntly that he did not doubt that the purpose of the bill was solely to create offices.

Senator Woodbridge, of Michigan, said that he thought the population of the proposed Territory was not 600, or not one-tenth of the number stated by Mr. Ashley. It consisted chiefly of persons employed by the fur company at Fond du Lac and elsewhere. The proposed Territory was within the boundaries of Wisconsin and should remain there for the time.

Mr. Huntington's motion to lay the bill on the table was then voted upon, and prevailed with scarcely any dissent. So the first bill to organize the Territory of Minnesota was killed in the Senate. Perhaps it ought to have been. At the time, as Senator Woodbridge declared, the bona fide population of the proposed Territory, considering only the white people and those of mixed blood living in civilization, did not equal 600. It is difficult to conceive upon what Senator Ashley's statement—that there were 6,000—was based.

Whoever were the authors of the schemes and influences behind the Martin bill cannot now be definitely stated. Certain it is that Joseph R. Brown and H. H. Sibley were two of them. Henry Jackson, Louis Robert, Franklin Steele, William Holcombe and the other prominent citizens of the St. Croix Falls country were their associates and confreres. Martin, as the intimate personal friend and former legislative associate of Brown, was merely the agent.

The promoters of the project could hardly have been in earnest in pushing it at the time. It is probable that they did not wish the Territory organized immediately, but intended that it should be merely well advertised. Surely no other advertise-

ment could have been stronger than an organic act which passed one house of Congress.

While Sibley and others at first had no sympathy with the movement, Brown and Steele were enthusiastic for the project. Brown had raised fine yields of wheat, corn, potatoes and other vegetables on Gray Cloud Island as early as in 1839, and every year thereafter had secured a good crop. He had, therefore, every confidence in the fertility of the soil of the region and the clemency of the seasons. Then, too, he had his interests at Stillwater, or "Dakotah," which he expected would become the capital of the new Territory. Steele believed that the timber and water power resources of the country were of themselves enough to make it famous and to support a population sufficient to maintain a government. Holcombe was of Steele's opinion. Both men were interested in water-power and timber.

Senator Evans's assertion that the bill was intended merely to create offices for certain designing persons was entirely gratuitous and not warranted by any faces, at least by none now attainable. There could hardly have been a conspiracy among the would-be state builders to divide the Territorial offices among themselves, in case the Territory should be organized, since those positions were commonly distributed by the President among his partisans in other states; residents of the Territory were seldom beneficiaries. It may have been expected that Mr. Martin, the mover of the bill, would be appointed Governor or to some other position in the Territorial government, although this is hardly probable. The only reward that Mr. Martin ever received for his important services in behalf of Minnesota was that the now fair and flourishing county of Martin, on the boundary line, in the southwestern part of the State, was named after him.

Chapter XXVII.

DOUGLAS' EFFORT TO ORGANIZE MINNESOTA.

IN the first session of the Thirtieth Congress the attempt to organize Minnesota Territory was renewed. At this time Stephen A. Douglas, who had been chairman of the Committee on Territories in the House of Representatives in 1846, when the Martin bill was introduced, was a member from Illinois of the Senate, and chairman of the Committee on Territories in that body.

January 10, 1848, Mr. Douglas gave notice to the Senate that he would introduce a bill at a future day to establish the Territory of Minnesota. February 23, he brought in the bill, which was numbered "Senate 152," to establish the Territorial government of "Minnesota," and on his motion it was read the first and second times and referred to the Committee on Territories. April 20 he reported the bill without amendment, and, on his motion, it and the bills establishing the Territories of Oregon and Nebraska were made the special order for April 26, but on the last named date no action was taken, according to the Senate Journal.

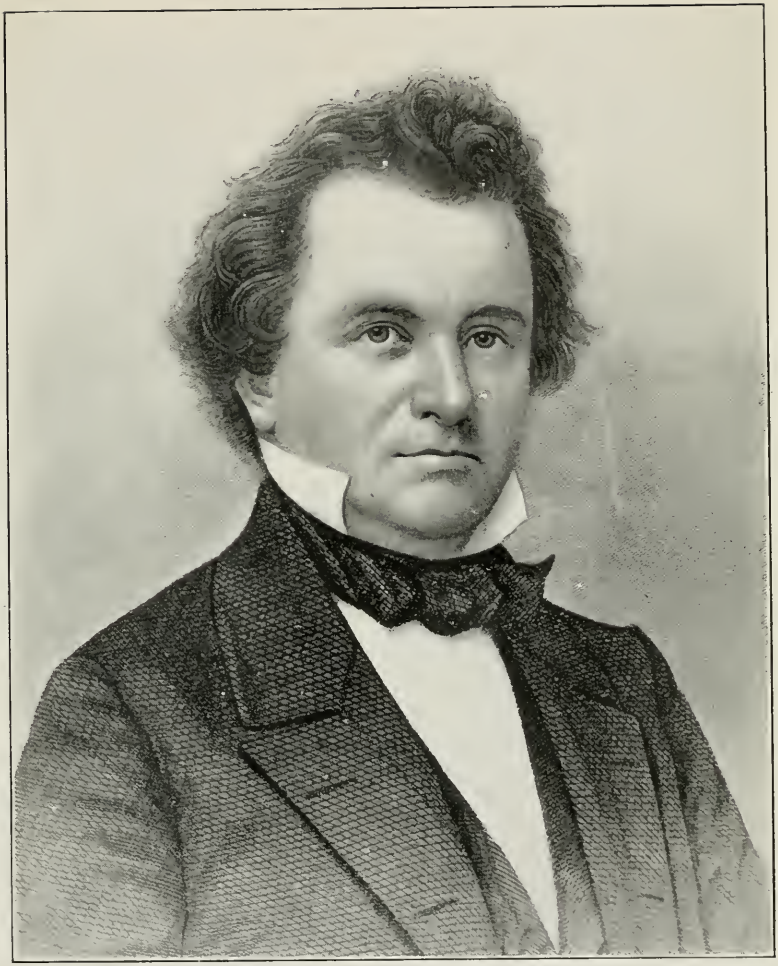
On the 16th of May the Senate proceeded to consider the Minnesota bill, but on Douglas's motion it was recommitted to the Committee on Territories. On the eighth of August Mr. Douglas reported the bill with amendments, but there was no discussion. Congress adjourned August 14, without taking further action on the Minnesota bill.

The belief is very common that after the introduction and extinction of the Martin bill of 1846, no Congressional action was taken towards the organization of Minnesota Territory until after the Stillwater Convention of August 26, 1848. It has been often asserted by those who attended it, and by others, who in 1848 must have known better, that the Territorial organization originated in that convention. The facts are that the Stillwater Convention and the January meeting at St. Paul's came after the matured plan and many of the efforts made to organize the Territory. Morgan L. Martin had introduced his bill two years before; Mr. Douglas introduced his in February, while the Stillwater Convention was not held or called until the following August.

The movement for Territorial organization, which had been in 1846—or really as early as 1845—continued. There seemed to have been an arrangement between Brown, Sibley and other promoters of the project. By the terms of this arrangement, as is probable, although not absolutely certain, Sibley was to be the delegate in Congress from the new Territory. Sibley was a Democrat, but politics were disregarded by the pioneers under the circumstances.

In April, 1847, the old Whig, John McKusick, wrote from Stillwater to Sibley, in answer to a letter from the latter written March 29. In part McKusick said:

* * * I shall endeavor to be frank and decided, as you wish me to be. As far as I understand the Situation of things at present, I have no hesitation to give you my Support for Delegate, to Congress, whenever such an Office is to be filled, although it seems to be quite premature, as I have lately Discovered that our Bill for Organization was at last lost in the Senate. Notwithstanding I hope the thing is not farther off than our next Congress. And, sir, my Opinion is that you Can obtain a heavy Support on the St. Croix. Only that, Since the thing is a little way off, I believe it good policy to not agitate such a Question too long before the time. My reason for Supporting you will be on the very ground, if not the only ground, that some will probably object to you,—that you are interested with the fur Company, who have a great influence with Our Government. This is my principal ground for supporting you. As influence is what we all want—in case Influence is always accompanied with sufficient Honour.



S. A. Douglas

Legislative Library

So now, sir, you know my honest and frank Opinion, which I have given, hoping you may have the best possible success whenever the time may come to test that matter.[1]

McKusick was prominent among the organizers and a very active worker. In the winter of 1847-48 he had charge of the petitions of the Minnesota settlers to Congress on the subject of the organization of the Territory and its eastern boundary. In returning these petitions to Sibley, February 2, 1848, McKusick wrote:

We return the petitions with all names that can be procured; in fact about all on St. Croix have signed them; and still there are some on the prairie, below here, in the Furber Neighborhood, who have not seen it at all. In case you think there will be sufficient time to yet procure those names, you will please act according to your Judgment; but for my opinion there is no time to lose.

Who besides Sibley were to fill the Territorial offices when Minnesota was organized depended upon the result of the impending President campaign of 1848. If, as was expected, the Democrats were successful and Lewis Cass were elected President over General Zachary Taylor, then, in all probability, Sibley would be appointed Governor and Brown Secretary of the new Territory. If the Whigs won, the Territorial offices would probably be filled from the older States. There were only two Whigs in the Territory fully capable of filling leading Territorial offices, and these were Morton S. Wilkinson and Henry L. Moss, both of Stillwater.

The Minnesota settlers spent considerable time throughout the year of 1847 in getting ready for separate political existence and the work was pushed during 1848.

A public meeting was held at St. Paul's, January 24, 1848, to consider the situation with regard to the suggested western boundaries of Wisconsin and their effect upon, "the proposed new Territory of Minnesota." James McBoal[2] was chairman and Alex. Roderic McLeod was secretary.

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[1]McKusick to Sibley. April 22, 1847; Unpublished Ms. Sibley Papers 1840 to 1850.

[2]As he signed his name to the proceedings although his real name was James McClelland Boal.

This meeting was held to protest against the then proposed western and northern limits of Wisconsin, namely the Rum River and the St. Louis River boundaries. A manuscript copy of the proceedings of this meeting (never before published) is now among the archives of the State Historical Society, having been found among the Sibley papers. The preamble and resolutions read:

Whereas, It appears that the Constitutional Convention of Wisconsin has recommended to Congress that the northern boundary of that State shall be so far extended as to include all the settled portion of St. Croix County, and

Whereas, Such a proceeding is in direct opposition to the avowed wishes of the whole population of said County; therefore,

Resolved, That it is the sense of this meeting of the people of St. Croix County, and of the upper country generally, that the northern line of Wisconsin, as fixed by Congress at its last session, allows to that State even more than a fair proportion of territory; and that, so far from seeking to enlarge its limits, Wisconsin should be content with a line commencing at the head of Shagwamigon [Chequamegon] Bay, on Lake Superior, and thence, due south, to the intersection of the main Chippewa river, which line would give both to the new State and to Wisconsin a fair and just proportion of the southern shore of that Lake.

Resolved, That the extension of the limits of Wisconsin so as to include the whole region south of a line down from the mouth of the St. Louis River, on Lake Superior, to the mouth of Rum River on the Mississippi, as proposed by the Constitutional Convention, would not only give to that State an enormous accession of territory, contrary to the avowed policy of Congress, but would cut off from the proposed new Territory of Minnesota every part of the southern shore of Lake Superior, and—what is of infinitely greater moment—all the eastern bank of the Mississippi below the Falls of St. Anthony, which is the extreme point of steamboat navigation.

Resolved, That, whereas, the County of St. Croix is separated by hundreds of miles of uninhabited and uninhabitable lands from the settled parts of Wisconsin, the people of said County, from a diversity of views and character, can have no interests in common with that State, and desire no political connection with it.

Resolved, That a petition to both Houses of Congress, protesting against the proposed annexation to Wisconsin be forthwith circulated for signatures—one copy of which petition shall be sent to the Hon. Thos. H. Benton, of the Senate, and the other to the Hon. John Quincy Adams, of the House of Representatives; and those gentlemen are

hereby respectfully requested to present said petitions to the respective bodies of which they are members, and to espouse the cause of the citizens of Minnesota, that justice may be done them, in the premises.

Delegate Brownell's course in the Wisconsin Constitutional Cenvention was endorsed and a copy of the proceedings was ordered sent to Mr. Tweedy, then the delegate in Congress from Wisconsin Territory. The proceedings were also ordered published in the *Galena Advertiser* and in such Wisconsin papers as were friendly to the sentiments therein expressed.

The memorial was presented in the Senate March 28, by Thomas H. Benton, the well known old Missourian, and referred to the Committee on Territories. John Quincy Adams died suddenly in the House of Representatives, February 23, and probably the petition had not been received at the time of his death. The "Old Man Eloquent" would have doubtless presented it had it reached him, since he was a strenuous advocate of the right of petition, and even introduced petitions for the abolition of slavery when it was almost perilous to do so.

In April following the St. Paul's meeting Brownell wrote a pamphlet on the subject ever present before his eyes and nearest to his heart, the Wisconsin western boundary question. This pamphlet is entitled, "Reasons Why the Boundaries of Wisconsin as Reported by the Committee for the Admission of That Territory into the Union as a State Should Not be Adopted." In his spirited little publication Mr. Brownell argued for the adoption of the "Holcombe boundary" and referred to the proceedings of the St. Paul meeting, a copy of which, he said, had been "duly forwarded to the Thomas H. Benton, of the Senate and to the late venerable John Quincy Adams, of the House, and they may be found in the committee rooms of the two Houses." In the same pamphlet appear, (1) Mr. Brownell's minority report as a member of the Committee on Boundaries in the Wisconsin Constitutional Convention, which report was made December 27, 1847, and (2) the report of the "Committee on a Division of the State of Wisconsin," made by Holcombe as chairman. Both these reports argue stoutly and plausibly for the adoption of the Holcombe amendment, making the western boun-

dary of Wisconsin a line from Thempeleau Island, (or "Mountain Island," as it was called,) in the Mississippi, to the headwaters of Montreal River.

It is as plain now as it was in 1847-48 that the people of the St. Croix country desired that their district should not remain a part of Wisconsin, but should be an important portion of a new Territory which should be succeeded by a State. Perhaps Brown desired and designed that Dakotah or Stillwater should be the capital of the future commonwealth. He and others, through Brownell, had secured the proposition in the Constitution of 1846 that the western boundary of Wisconsin should run from the first rapids of the St. Louis River southwardly to "a point fifteen miles east of the most easterly point in Lake St. Croix" and thence due south to Lake Pepin, so that the location of the proposed seat of government might not be objected to by reason of its location on the new State's extreme eastern boundary.

Just where and how these empire builders designed that the western boundary of the new State should run, cannot now be determined. Doubtless it was intended that the commonwealth should extend to the westward as far as to Lac Traverse—perhaps to the Missouri River. Both sides of the Mississippi at St. Anthony Falls had to be included, for the sake of Franklin Steele, and Mendota and Sibley were on no account to be left out.

The petitions of the settlers went to Congress, the agitation for a new Territory continued, the theory that the St. Croix Country was Wisconsin gained in strength and adherents, and at last in the summer of 1848 matters came to a definite and practical shape.

Chapter XXVIII.

STILLWATER CONVENTION AND OTHER PUPLIC MEETINGS.

WAS the St. Croix country a "no-man's land" and were the people under no government whatever? They were certainly not a part of the new State of Wisconsin, but did the territory west of the St. Croix and east of Mississippi still constitute and remain Wisconsin Territory? If so, then the people residing thereon were still citizens of the Territory which was entitled to a delegate in Congress.

There was but one desire among the people, which was to have a government of their own of some kind. There was, however, a divergence of opinion among the lawyers. Some of them held that by the admission of Wisconsin the country west of the St. Croix became extra-territorial, without an organized government. Others argued that a district once becoming a part of a Territory was always such a part until the Territory was admitted as a State, when, if included by the act of admission, it became a part of the new State; but if not so included, it still remained the territory, and therefore the country west of the St. Croix was still Wisconsin Territory, entitled to all the privileges thereof.

The question was well agitated or at least thoroughly discussed by the settlers. In July, 1848, the citizens of St. Paul held an open-air meeting before Henry Jackson's store. They agreed to stand by the proposition that the St. Croix country was the Territory of Wisconsin, and expressed the opinion that all the settlers of the Territory should meet in mass convention to

consider the matter. August 5, following, another meeting was held at Stillwater, at which it was determined to issue a general call for a mass convention of the people at Stillwater to consider the questions (1) of selecting a Territorial Delegate to Congress; (2) of the organization of a new Territory to be called by a name other than Wisconsin, and (3) whether or not the old laws of Wisconsin were in force over them.

The meeting was held according to appointment. Jonathan E. McKusick presided and William Holcombe acted as secretary. Sundry resolutions were adopted and numerous short speeches were made. William Holcombe, Joseph R. Brown, Franklin Steele, Morton S. Wilkinson, H. H. Sibley, Louis Robert, Henry L. Moss, and a dozen other prominent settlers participated in this meeting, but the membership was not considered large enough to warrant an expression of what was to be declared the general and prevailing sentiment of the people of the Territory. A call for another public meeting was prepared, signed and copied and the copies written on foolscap paper were posted at Stillwater, St. Paul, St. Anthony and tacked to trees at various points along the few public roads. The call, now in possession of the Historical Society, reads:

NOTICE.

We, the undersigned, citizens of Minnesota Territory, impressed with the necessity of taking measures to secure an early Territorial organization, and that those measures shall be taken by the people with unity of action, respectfully recommend that the people of the several settlements in the proposed Territory appoint delegates to meet in convention at Stillwater, on the 26th day of August next, to adopt the necessary steps for that purpose. (Signed.) Louis Robert, H. H. Sibley, Joseph R. Brown, W. Holcombe, Jona McKusick, M. S. Wilkinson, Anson Northup, C. Carli, Jno. R. Brewster, H. K. McKinstry, Jas. D. McComb, Jacob Fisher, John Collier, H. L. Moss, Socrates Nelson, Franklin Steele, P. A. R. Brace, Horace Jacobs, Stillwater, Aug. 4, 1848.

There was at this time no concealment of the design to organize the fragment of Wisconsin Territory yet remaining and much of the region generally to the westward into a new Territory to be called Minnesota. For some years Joseph R. Brown and others had been accustomed to speak and write of the coun-

try as Minnesota and as "the Minnesota Country." Indeed it was often asserted by the early settlers that Brown was the original author and promoter of the project for creating a Territory west of the St. Croix.

It will be noted that while the participants in the meeting claimed to be and were seeking their rights as citizens of Wisconsin Territory, they declared themselves, in the call, "Citizens of Minnesota Territory." There had been so much talk of the latter Territory and so little opposition to its formation that perhaps they had come to somehow believe that its organization had been actually accomplished.

Pursuant to the call the convention assembled in the court house at Stillwater, August 26, (1848) at 10 o'clock A. M., and was called to order by Joseph R. Brown, on whose motion Morton S. Wilkinson, of Stillwater, was chosen temporary president, and David Lambert, an accomplished young lawyer of St. Paul, was made temporary secretary.

The proceedings of the convention were carefully recorded and preserved and subsequently printed in the Historical Society's "Annals" for 1851 and in Volume I of its "Collections." From this record it would seem that Brown was the leading spirit and most active participant of the convention. On his motion a committee of which he was chairman selected permanent officers, who were Samuel Burkleo, president; Robert Kennedy and Joshua L. Taylor, vice presidents; William Holcombe and David Lambert, secretaries. The committee's selections were endorsed by the convention, and its business was conducted in harmony and order.

On another motion by Brown a committee of seven was appointed to draft a memorial to Congress for the early organization of the Territory of Minnesota, and to report such further proceedings as the committee might think proper for the action of the convention. The committee consisted of Brown, as chairman, Calvin Leach, H. H. Sibley, Socrates Nelson, M. S. Wilkinson, Henry Jackson, and Henry L. Moss. A letter from John Catlin, who had been Secretary of Wisconsin Territory and who it was claimed was now Governor of that Terri-

tory, was read and received with much interest and satisfaction. Following is a copy:

Madison, August 22, 1848.

Hon. Wm. Holcombe. Dear Sir: I take the liberty to write you briefly for the purpose of ascertaining what the citizens of the present Territory of Wisconsin desire in relation to the organization of a Territorial Government. Congress adjourned on the 14th inst., without taking any steps to organize the Territory of Minnesota, or of amending the Act of 1836, organizing Wisconsin, so that the present government could be successfully continued.

I have given Mr. [Joseph] Bowron, by whom I send this, a copy of Mr. [James] Buchanan's opinion, by which he gives it as his opinion that the laws of Wisconsin are in force in your Territory; and if the laws are in force, I think it is equally clear that the officers necessary to carry out those laws are still in office. After the organization of the State of Michigan, but before her admission, General George W. Jones was elected by the Territory of Michigan (now State of Wisconsin) (as a Delegate to Congress) and was allowed to take his seat.

It is my opinion that if your people were to elect a delegate this fall, he would be allowed to take his seat in December, and then a government might be fully organized; and unless a Delegate is elected and sent on, I do not believe a government will be organized for several years. * * *

If Mr. Tweedy were to resign, (and he would, if requested) I do not see anything to prevent my issuing a proclamation for an election to fill the vacancy, as the acting Governor;[1] but I should not like to do so unless the people would act under it and hold the election If a Delegate was elected by color of law, Congress would never inquire into the legality of the election.

It is the opinion of most all of us this way that the government of the Territory of Wisconsin still continues although it is nearly inoperative for want of a court and Legislature.

I wrote in haste and have not time to state further the reasons which lead me to the conclusions that the Territorial Government is still in being; but you can confer with Mr. Joseph Bowron, who, I believe, is in possession of the views and opinions entertained here on the subject. I shall be pleased to hear from you at your earliest convenience, Yours very respectfully,

JOHN CATLIN.

P. S.: Judge [David] Irvine, Mr. [Morgan L.] Martin, Gen. [Geo. W.] Jones, H. N. Wells, A. D. Smith, Chas. H. Larrabee, J. G. Knapp,

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[1]As Secretary of the Territory Judge Catlin considered himself acting Governor.—Compiler.

and many others entertain the opinion that the Territorial Government of Wisconsin was abolished by the admission of the State of Wisconsin, but is still in being in that part of the former Territory not included within the limits of the State, Governor [Nelson] Dewey told me he had no doube on the subject.

The opinion of James Buchanan, then Secretary of State in President Polk's Cabinet, referred to in Mr. Catlin's letter, was as follows:

* * * The question is whether the laws of the Territory of Wisconsin still remain in force in that portion of it now beyond the limits of (the State of Wisconsin). I am clearly of the opinion that these laws are still in force over the territory not embraced within the limits of the State. It cannot well be supposed that Congress, by admitting the State of Wisconsin into the Union, intended to deprive the citizens of the United States beyond its limits, of the protection of existing laws, and there is nothing in this legislation from which any such inference can be drawn.

The difficult question is, what efforts still remain to carry those laws into execution. It is clear to my mind that all the local officers residing in counties without the State line, such as judges of probate, sheriffs, justices of the peace, and constables, may exercise their appropriate functions, as heretofore. Whether the general officers, such as Governor, Secretary, and Judges appointed for the whole of the former Territory, are authorized to perform their duties within what remains of it, presents a question of greater difficulty on which I express no opinion.

Whatever may be the correct decision of this question, immediate legislation is required; because it is very certain that Congress will never consent to maintain the machinery provided for the government of the entire Territory merely for the purpose of governing the 2,500 or 3,000 inhabitants who reside beyond the limits of the State.

Joseph R. Brown was very prominent in the proceedings. It was on his motion that the convention appointed a committee of seven to draft a memorial to Congress and the President; that the proceedings of the meeting be published in certain Wisconsin, Iowa and Washington city newspapers—there being no newspapers then published in Minnesota—that "the orthography of Minnesota (when the organization of the Territory shall be effected) shall be according to that used in this resolution[1] and he

[1]In the proceedings of Congress, upon the first presentation and discussion of Senator Douglas's bill to organize the Territory, the name was spelled "Minisotah" and "Minesota"

was chairman of the committee on memorial and resolutions, his colleagues being Calvin Leach, H. H. Sibley, Socrates Nelson, M. S. Wilkinson, Henry Jackson, and H. L. Moss.

The preamble and resolutions and the memorial were doubtless prepared by Brown, as shown by their literary style, although they were probably revised by Wilkinson. The preamble to the resolutions recited that by the admission as States of Iowa and Wisconsin into the Union, the inhabitants of the country formerly a portion of these Territories so named were left without a government or any civil authorities; that they were disfranchised of the rights and privileges which were guaranteed by the Ordinance of 1787, and that without any fault of their own they were without adequate legal protection for their lives and property; that they believed Congress had no proper knowledge of their situation, else a Territorial government would long before have been given them.

The resolutions declared for a memorial to Congress and the President, that a delegate be sent to Washington during the ensuing session of Congress to represent the interests of the proposed new Territory and urge its immediate organization; that the president of the convention appoint a committee of six members—three from the St. Croix River and three from the Mississippi—to collect business statistics for Minnesota Territory, and forward the same to the delegate, and that a committee of seven be appointed to act as a central committee to adopt and execute all possible means "to forward the objects of this convention."

The St. Croix members of the committee to collect information for the use of the delegate were William Holcombe, Orange Walker, and Joshua L. Taylor, the Mississippi members were Franklin Steele, Henry Jackson, and Levi Hurtzell. The central committee was composed of H. L. Moss, Chairman; David Lambert, Franklin Steele, Levi Hurtzell, Socrates Nelson, Orange Walker, Joshua L. Taylor.

A delegate was selected by ballot and on Brown's motion H. H. Sibley was declared the unanimous choice of the convention.

His certificate[1] in Brown's handwriting and now in the custody of the Minnesota Historical Society—reads:

We, the officers of a convention of Delegates for the people of Minnesota, met, pursuant to public notice, at the Court House, in Stillwater on Saturday, the 26th day of August, 1848, do hereby make known that, in accordance with a resolution of said convention, Henry H. Sibley, Esq., was unanimously elected a Delegate to proceed to Washington City and there use such measures as may best tend to effect the early organization of the Territory of Minnesota, and we do hereby accredit him accordingly. In witness whereof, we have hereunto set our hands at Stillwater, this 26th day of August, A. D. 1848. Samuel Burkleo, Delegate from Marine Mills and President, J. L. Taylor, Robert Kennedy, Vice-President, William Holcombe, David Lambert, Secretaries.

A copy of the memorial to the President is printed in Vol. 1 of the Historical Society's Collections. (pp. 59-60) Reads:

MEMORIAL TO HIS EXCELLENCY, JAMES K. POLK, PRESIDENT OF THE UNITED STATES.

Your memorialists, citizens of the Territory north of the northwestern boundary of Wisconsin and of the northern boundary of Iowa, ask leave respectfully to represent:

That the region of country which they inhabit formed, formerly, a portion of the Territories of Iowa and Wisconsin, subject to the laws and government of those Territories; and a judicial circuit—having within its limits a seat of justice, where sessions of the District Court have been held and the records of the court are deposited, had been established.

That this region of country is settled by a population of nearly 5,000 persons, who are engaged in various industrial pursuits; that it contains valuable pine forests, excellent arable land, mineral treasures, almost unequaled facilities for, mills and manufactories and possessing an exceedingly healthful climate, is capable of sustaining a dense and prosperous population; that its population is now constantly and rapidly increasing and is characterized by industry, energy and sobriety.

That by the admission of Wisconsin into the Union, with the boundaries as prescribed by Congress, and the omission by that body to pass a law for the organization of a new Territory, embracing the portion of country inhabited by your memorialists, they and all their fellow citizens are left without officers to administer and execute the laws. That, having once enjoyed the rights and privileges of citizens

[1]Never before published.

of a Territory of the United States, they are now without fault or blame of their own, virtually disfranchised.

They have no securities for their lives or property but those which exist in mutual good understanding. Meanwhile all proceedings in criminal cases, and all process for the collection of debts, are suspended; credit exists only so far as a perfect confidence in mutual good faith extends, and all the operations of business are embarrassed.

Your memoralists would respectfully represent that, even in a well ordered and law-abiding community, such as they feel pride in declaring their own to be, such a state of affairs is fraught with evils and dangers. Its continuance will tend to prevent the immigration of the most valuable class of citizens of the United States, while it will open a door of invitation and allurement to the lawless and the desperate. It will foster dishonest and discorderly principles and actions among the citizens and if suffered to exist for a long period will, bring ruin upon a prosperous and fertile region.

They would further represent that—having been disappointed in their confident hopes that Congress would, by its action at the late session of that honorable body, have relieved them from the painful position in which they are placed by the passage of a law for the organization of a new Territory in the limits of which they should have been embraced—they now most respectfully lay their case before the highest Executive authority, earnestly asking that your Excellency will call the attention of Congress to their situation at the opening of the next annual session, and recommend the early organization of the Territory of Minnesota.

And your memorialists will ever pray, etc.

The signers of the memorial gave the localities where they lived, as follows:

Residing at Crow Wing—Joseph R. Brown, Michael Phalan, and Duncan McDonald.

Residing at Stillwater—Charles F. Leach, H. L. Moss, M. S. Wilkinson, William Holcombe, Jacob Fisher, William Foreman, R. B. Johnson, Mahlon Black, W. R. Vail, H. K. McKinstry, Socrates Nelson, Christopher Carli, William Stinchfield, John Day, John Morgan, Samuel Burkleo, William Willim, P. A. R. Brace.

Residing at St. Paul—A. L. Larpenteur, David Lambert, J. W. Simpson, Henry Jackson, Louis Robert, Vetal Guerin, David Hebert, Oliver Rosseau, Ard Godfrey, James R. Clewett.

Miscellaneous—H. H. Sibley, Mendota; Joshua L. Taylor, Falls of St. Croix, West Side; Robert Kennedy, Pennsylvania

Farm; William R. Brown and John A. Ford, Red Rock Prairie; James A. Norris and John W. McLaughlin, Cottage Grove; Joseph Resche and Paschal St. Martin, St. Anthony; A. R. French and Stephen Denoyer, near St. Anthony Falls; Joseph Rondo, David T. Sloan, and D. T. Holmes, Sauk Rapids; H. Cheveri and Peter Quinn, Raccicot; John Banfield, Rice Creek; William Aitkin and Richard McDonald, Little Rock; Edward Blake, Spunk Creek; J. B. Cory, Cornelian Lake; N. B. Ferrell and P. Flinn, Rum River; James D. McComb and James Patton, Point Douglas; Samuel F. Brown, Bolles's Mill; Edward Phalen and Wm. G. Carter, Prospect Hill; Francis Morin and Peter Gervais, Gervais Mill.

Of all of these memorialists, sixty-one in number, only one, Auguste Louis Larpenteur, is now (1908) living. He is a well known and justly esteemed and honorable citizen of St. Paul.

Chapter XXIX.

ELECTION OF A DELEGATE TO CONGRESS.

JOHN Catlin, who as has been stated, claimed and was generally considered to be Governor of Wisconsin Territory (meaning the district of country west of the St. Croix which had been cut off by the admission of the State) was a staunch and zealous friend of the project of organizing Minnesota Territory. His suggestion in his letter to Holcombe, that Mr. Tweedy, the Delegate in Congress from Wisconsin Territory, should resign, was accepted and acted upon. Tweedy, who resided at Madison, resigned September 18, Mr. Catlin, whose permanent residence was also at Madison, came over to Stillwater, so as to be within Wisconsin Territory and outside of Wisconsin State, and thus have jurisdiction. He was aiding the organizaton of Minnesota in every possible manner. October 9, having accepted Tweedy's resignation, Catlin issued a proclamation advising a special election to be held at the polling places in the "Territory of Wisconsin," to choose another delegate to fill the vacancy. The election was to be held October 30, and the polling places were at Stillwater, Marine, St. Paul's, Prescott's, Sauk Rapids, Crow Wing, and Pokegama.

There were two candidates for the position, Henry H. Sibley and Henry M. Rice, both Democrats and chief factors respectively of the American and Northwestern Fur Companies. Sibley was from the first the leading candidate. For more than a year it had been understood among the settlers that he was to be the delegate. A large majority of the voters agreed with McKusick, that because of his connection with the American

Fur Company—which was larger and more powerful than its rival, the Northwestern—if for no other reason, Sibley ought to be the man. The pioneers were not especially friendly to large corporations—as their descendants are not—but the American Fur Company, as conducted by Sibley, had been popular with the people, and its operations of advantage to the country.

The contest was not close, but under the circumstances it was heated and exciting. A few days prior to the election Dr. Christopher Carli, the brother-in-law of Joseph R. Brown, wrote from Stillwater to Sibley:

> I received news from the person that took the notices for the election to Pokegama. He says there will be no votes there, as the men are not feeling enough interested. He had several letters to take up, all from Sibley men. Last night I was in the Minnesota House, where Wilkinson and Holcombe were counting up votes. Wilkinson comes out a strong Rice man. * * * Mr. R. and his party, I am sorry to say, are getting strong here. Mr. [Gold T.] Curtis stated to me last night that there was about 25 voters for Mr. R. in Stillwater, but nearly all these might be changed if the compromise for the land office could be made with St. P.; can't you effect this? L. Robaire [Louis Robert] is up now, and [Jacob] Fisher, [Orange] Walker, and myself are nominated from this place and will come over if necessary.[1]

"The compromise for the land office," referred to by Dr. Carli, had reference to a charge made by Rice's partisans that Sibley favored the removal of the land office from St. Croix Falls to St. Paul's, as a number of St. Paul men desired, and a compromise was proposed whereby Stillwater should have the land office, and when the new Territory should be organized St. Paul's should have "something just as good." As early as October 5, Dr. J. B. Covey, of Stillwater, wrote Sibley:

> I have been called upon today to express my opinion upon the choice of a candidate to be elected to Washington, to represent this dismembered part of Wisconsin. I have been confidentially informed that Mr. Rice has been here today and pledged himself to assist in locating the land office at this place if people here will support him. They (that is the Rice party) say that you will not even do that for Stillwater, but, stand fixedly engaged to have the Land Office removed

[1]Carli to Sibley, Oct. 22, 1848; unpublished Sibley Letters, 1840-50.

HENRY M. RICE.

to St. Paul's. I have said to Mr. Holcombe that my mind was in favor of Mr. Sibley unless some one was brought out on the St. Croix. Now Sir, I think your face is needed here. I do not ask for any pledges, but your presence here may decide the question.

Rice's strength was largely about his trading posts at Sauk Rapids and Crow Wing with some partisans at Stillwater and St. Paul's. In his eagerness to help Minnesota when her case should come before Congress, "Governor" Catlin was willing to go to extremes. In order to show by the returns of the election that there was a large number of voters in the country, he suggested that the rules governing suffrage qualifications be relaxed at the remote localities of Crow Wing and Sauk Rapids, where there were many unnaturalized French and mixed blood company engagees, who would be permitted to vote. October 11, David Lambert wrote to Sibley from Stillwater:

Mr. Catlin is very anxious to have as large a vote polled as possible, and suggests the expedience of relaxing the challenges, so as to admit of a full vote of all who would be entitled to suffrage if the Territory was organized. This would admit the French unnaturalized voters, as well as Mr. Rice's men, at Crow Wing. Would this make any difference to you? Please let me know your wishes on the subject. Mr. Catlin's object in wishing to bring out a large vote is based on his impression that it will operate to an important extent in promoting the organization of Minnesota. Everything is going on right here.

Sibley answered promptly, and retained a copy of his reply pinned to Lambert's letter. He said he would be glad to comply with Mr. Catlin's proposition, if there were not, "objections of a grave character" against it. He suggested that Congress would probably scrutinize very strictly the claim to admission of the delegate from Wisconsin Territory. If anything should be found of the character of an informality or a non-adherence to the organic law, the chances of his admission would be greatly impaired. "Then again," wrote Mr. Sibley, frankly, "if Mr. R. should be defeated, he may choose to contest the seat on the ground of illegality of the election. Another ground of my objection is that my opponent has, either in his employ or under his immediate influence, a large number of men who are not legal voters, and who, to a man, would cast their votes for him,

and thus neutralize those of the old settlers. To be sure the French portion of the population is mostly in my favor, but many of them could not have a vote, inasmuch as they have not yet declared their intentions to become citizens."

Sibley wrote on to assert that he was very desirous of doing what he could to facilitate the speedy organization of Minnesota Territory. "But," he wrote, "I conceive it would be inexpedient in this case to depart from the strict letter of the law." (Not wrong, not reprehensible, but simply "inexpedient.") He added that he wrote confidentially and asked that his objections be presented and urged as Lambert's own. "Were I to take open ground in the matter it would be made to appear I was opposed to allowing the French to vote."[1]

About the same time Henry Jackson, the merchant at St. Paul's, wrote to Sibley to oppose a projected road from Prairie du Chien along the west side of the Mississippi to Fort Snelling. Jackson said the citizens of St. Croix County wanted the road on the east side of the river, so that it would pass St. Paul's. "As you value your popularity, wrote Jackson, menacingly, "you must oppose establishing a road on the west side of the Mississippi." Mr. Rice was alluded to as "the father of the scheme."

Jackson also notified Sibley that Governor Catlin wanted "as many votes as possible in this Territory," and that if Sibley and Rice agreed to the proposition, he would establish voting precincts at Sauk Rapids and Crow Wing. October 23, Sibley wrote to Catlin protesting against the polling places at these places, where Rice had important trading posts, and against receiving the votes there cast, and asking that the Governor abolish the voting places named. But Catlin declined to interfere. He said the clerk of the courts who had the counting of the votes, was the proper authority to consult. (See Catlin to Sibley, October 27, 1848; unpublished Sibley letters.)

The day following the election, William Dugas, one of Sibley's warmest partisans at St. Anthony, wrote to his leader hastily, as

[1]Lambert to Sibley and Sibley's reply October 12, 1848, Sibley unpublished letters, 1840-50.

it would seem, according to certain lapses in orthography and syntax, but very frankly:

> Our election went of yesterday & considerable breefly we shold have don better, but they commenced buying votes quite early in the Morning, this morning two young men was at my house, and say that they were thretend to be kilt in the morning for saying hooraw for Sibley the other says they offered him a dollar to vote for Rice but he answer that they were all his friends but that he shold vote for Sibley but he says now that before he voted he got very Drunk and they some of them changed his Vote and consequently got a vot out of him for Rice when he entended to vote for Sibley. My Sellfe and all my friends around me have I believed saved our money and not have offered to any one pay for his vote. We thought best to pattering after the Honorable Mr. Sibley, save our money to buy lands for our friends and our selves rather than buying votes with it, we now think that Mr. Sibley is safely elected and may God grant.[1]

Joseph R. Brown wrote from his then post at Crow Wing:

> Your friends at Crow Wing were as much elated at your election as your opponents were chagrined. Clement [H. Beaulieu] and [Jeremiah] Russell were in exstacies. * * * By the way, I find you had many friends among the [Chippewa] Indians, even in this country. The Chief here was telling us this evening that he heard the question agitated while he was at Crow Wing at the time of the election and that he heard that the Mille Lacs chief and band were for you, while the Hole-in-the-Day and others were for Rice.[2]

Sibley owed his election largely to the endorsement and the certificate of the Stillwater Convention. This was the only concentrated public endorsement of either candidate made in the Territory, and of course had great effect. There had been no opposition to it in the convention and the endorsers were the leading members of every settlement in the Territory.

The election over all partisan and factional feeling died out. The settlers became as one party in favor of but one issue, the speedy creation and organization of Minnesota Territory. Mr. Rice joined heartily in the movement. He congratulated Sibley on his election, announced that he would do all in his power to aid him to obtain his seat and to acomplish his

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[1]Dugas to W. H. Forbes, unpublished Sibley Letters, 1840-50.

[2]Brown to Sibley, Dec. 1, 1848; unpublished Sibley letters.

mission, and at his own expense and loss of valuable time accompanied the delegate to Washington and spent a great part of the winter there, working for Sibley's admission, and the organization of Minnesota Territory. Mr. Rice had many personal friends among the Congressmen and his influence was powerful and most serviceable in aid of Sibley. That both Sibley and Rice represented the two great fur companies then controlling the fur trade of the Northwest, and that it was largely to the interest of these companies that the Territory should be speedily organized, does not count against the value of the services these representatives rendered for the public good.

"Governor" Catlin's certificate of election to Sibley as "Delegate of the Territory of Wisconsin," was issued November 4, only five days after the election itself. Thus Sibley had two certificates of the same purport, one given him by the Stillwater Convention, and one from John Catlin, sometime Secretary of Wisconsin Territory, but in 1848 claiming to be that Territory's chief executive. He performed valuable services in the Territory's behalf by journeying over, at his own expense, from Madison to Stillwater to sign Sibley's credentials, and he was always prompt and efficient in counseling and advising. He sent numerous letters to members of Congress arguing for and urging Sibley's admission as delegate. November 21, after his return home from Stillwater, he wrote to Sibley:

I arrived home one week since, but have been confined to my house by a severe cold which I took in my ride from Galena, in consequence of which I have not been able to write as many letters to members of Congress as I expected and intended to write. I have written several, however, and among them one to Mr. [Orlando] Kellogg, [Member of Congress from New York] and enclosed him two of the communications published in the [Wisconsin] Argus. I also mailed to you the half sheet of the Argus containing three of the communications.

The strong arguments in the case are: The number of the inhabitants, the amount of business, the fact that the Government has sold the public lands and invited the people to settle there, and the fact that a government has once been extended over them.

If the Government will not allow a State to repudiate or secede, can it (the Govt.) nullify or repudiate a State or Territory? And to repeal the law establishing a government is the same thing. If a

State cannot secede without the consent of the Union, the Government cannot throw off a people without their consent, when a government has been once established.

The question is so plain that it needs only to be understood to be correctly decided, and that will be your greatest difficulty—to get Congress to examine it. Unless the case is admitted I would (if I were you) have my right or credentials referred to a committee for examination before a vote is taken. Or if a vote should be taken and decided against your right to a seat, I would then send in a petition, which will, as a matter of course, be referred to a committee.

A gentleman here has written to Hon. John S. Pendleton [of Virginia] on the subject, and I have also written to Mr. [John] Wentworth, of Chicago, and to Mr. [George P.] Marsh, of Vermont, although I have no personal acquaintance with Mr. Marsh. I wrote to Dr. [Mason C.] Darling, [of Wisconsin] some time ago, and I presume you will hear from some of those addressed. Gov. [Henry] Dodge [of Wisconsin] will do what he can, but, being in the Senate, I don't know as he can aid much your admission to a seat in the House. Shall be pleased to hear from you as the matter progresses. Be pleased to remember Mrs. C. and myself kindly to Mrs. Sibley, and believe me, Very respectfully, &c. Your Obdt. Servt., John Catlin.[1]

From the record it appears that all of the Congressmen to whom Catlin wrote voted for Sibley's admission, and for the organization of Minnesota Territory. He continued to write himself and induced others to write to members of Congress in behalf of Sibley and Minnesota. February 6, 1849, he wrote to Sibley:

* * * I have been much gratified by the news of your admission and I trust that it will result in the passage of the Minnesota bill. Should you be able to get a government permanently established, there will be a great emigration to the Territory in the spring.

A few days earlier he had written to Sibley:

I have not heard yet whether you are admitted to your seat. I suppose, of course, you are, but still I am very anxious to learn. The mails are very irregular this winter on account of the great depth of snow. Only two mails have been received here from St. Paul since you left, [in November] which will account for the reason why you have not heard from here. I hope you will succeed in getting a Terri-

[1]Catlin to Sibley Nov. 21, 1848. Unpublished Ms. Sibley Letters 1840-50.

torial Government established, as it is so necessary to the prosperity and improvement of Minnesota.

Judge Rountree, of Platteville, Grant County, has been recommended by the Whigs here for Governor of Minnesota and Alexander Botkin for Judge. There will undoubtedly be a great many applicants for office from this State under the new administration. * * * As for myself I cannot expect any place under General Taylor, and shall be perfectly satisfied if I am allowed my salary for the term I hold the office.

February 19 he recommended Chauncey Abbott, of Madison, for one of the Minnesota Territorial judges, and said:

I am gratified that the bill to organize Minnesota is so far under way and the prospects so favorable for its passage. It is not probable that I shall visit the Territory again, to exercise any authority. I still think, however, that the position taken by me and yourself has facilitated the organization of Minnesota, and will be of great benefit to the frontiers.

Chapter XXX.

ST. CROIX COUNTY AS WISCONSIN TERRITORY.

PROMPTLY upon the assembling of the second session of the 30th Congress, on the first Monday in December, 1848, Henry H. Sibley presented himself and asked for admission to a seat in the House of Representatives as delegate from the Territory of Wisconsin. He exhibited his certificate from the Stillwater Convention, and that of Governor Catlin, stating that he had been duly elected to fill the vacancy occasioned by the resignation of Mr. Tweedy, the former delegate. The claim was referred to the committee on elections, where it was thoroughly argued and discussed.

At the time the House was composed of 117 Whigs and 111 Democrats, but this was not considered a political question. Robert C. Winthrop, of Massachusetts, was Speaker and Richard W. Thompson, of Indiana, was chairman of the committee on elections; both were Whigs.

On January 2, 1849, Mr. Thompson submitted a report of the majority of his committee accompanied by the following resolution:

"Resolved, That Henry H. Sibley be admitted to a seat on the floor of the House of Representatives as a delegate from the Territory of Wisconsin."

The report and the resolution were laid on the table and ordered printed.

On the fifteenth Mr. Thompson called up the report and resolution and had them and the minority report read at length. After the reading Mr. Thompson said that the arguments upon

both sides of the question having been fully set forth by the majority and minority reports, he trusted that the House would be willing to come to a vote without going into a debate, and he therefore moved the previous question.

Nathaniel Boyden, a Whig, of North Carolina, asked Mr. Thompson to withdraw his motion for the previous question. He said that the case involved very important principles, and was one for which there was no precedent in the history of the government. He desired to move an amendment to the resolution, and to briefly present some views additional to those contained in the report of the minority of the committee against the adoption of the resolution reported by the majority. But Mr. Thompson adhered to his demand and the previous question was seconded by a vote of 90 to 57. The main question, that Sibley be admitted was then put and decided in the affirmative by a vote of exactly two to one, or yeas, 124, and nays, 62.

Among those who voted for Sibley's admission and then were or subsequently became prominent in the public affairs, were Abraham Lincoln, John Wentworth, and John A. McClernand, of Illinois; Horace Mann, of Massachusetts; Caleb B. Smith and R. W. Thompson, of Indiana; Joshua R. Giddings, of Ohio; Alexander H. Stephens, of Georgia; Jacob Thompson, of Mississippi, and David P. Wilmot, of Pennsylvania. Amongst those voting against the admission were Howell Cobb and Robert Toombs, of Georgia; Willard P. Hall and John S. Phelps, of Missouri; Horace Greeley, of New York, and Andrew Johnson, of Tennessee.

The admission had been accomplished most successfully, but very quietly and indeed almost secretly and stealthily. The courtesy due a committee's majority report and the skill of Chairman Thompson, had brought about the previous question, which shut off all debate and discussion. The opponents of the proposition had no chance to declare themselves. The chairman's pro forma motion to reconsider the vote and to lay the motion on the table, thus preventing further action and discussion, was carried, but by a reduced vote—111 to 82. The admission opponents were greatly dissatisfied, at what they considered "gag

rule" and determined to ventilate the entire Wisconsin Territory proposition on the very first opportunity. That opportunity came within a very few days.

On January 18, Mr. Joseph Mullen, a Whig, of New York, moved to add to the appropriation bill the same amount ($10,500), for the same officers of the "Territory of Wisconsin" as had been included in the bill for the Territory of Oregon. This was equivalent to saying that there was still such a Territory as Wisconsin and that Sibley was its delegate. Mullen had voted to admit Sibley and was a member of the House committee on appropriations. At this date it is impossible to state the object of his motion. Had the motion carried and the money been appropriated, it cannot now be said how it would have been expended. But Mr. Mullen's motion converted the house into a legislative hornets' nest and started a warm and interesting discussion. Hall, Democrat, of Missouri, a very good lawyer[1] opened the debate by a pro forma amendment to the amendment, and proceeded to attack the proposition that there was a Territory of Wisconsin. He said that Mullens motion was the most extraordinary effort ever made to organize a Territorial government. A proposition had been before the Senate since the early part of the last session of Congress to organize the Territory of Nebraska, and both Houses of Congress had refused to pass such a bill. But here was an effort made to introduce into the civil and diplomatic appropriation bill an item which, per se, established a Territorial government over Minnesota—its true name—although the item was in the name of Wisconsin. The difficulty could not be relieved by saying that the Territory of Wisconsin existed by law; on the contrary he thought it was absolutely certain that no such Territorial government did exist. Congress had authorized the people of Wisconsin to come into the Union as a State, and they had come in, and Minnesota, the part which had been stricken from the former Territory of Wisconsin, could not be called a Territory without a law of Con-

[1]Willard P. Hall was for many years a member of Congress, and during the Civil War was for two years the Union Governor of Missouri.

gress declaring it to be a Territory. If gentlemen wanted Minnesota to have a Territorial government let a bill be introduced and passed in the usual form for that purpose; but let them not attempt to sneak a government through in this bill.

Robert C. Schenck, Whig, of Ohio, had voted against Sibley's admission and was opposed to the Mullen resolution. He moved to include a similar provision for Iowa Territory. He said that when the State of Iowa was admitted into the Union there had been left without the State a territory three or four times as large as that portion of the former Territory of Wisconsin which had been left out of the State of Wisconsin. If a Territory was to be created in this manner—if by admitting a delegate Congress drew in a Territory—the example should be followed up by providing also for a much larger piece of Iowa, and by now recognizing and providing for it as the Territory of Iowa. Congress would then have two Territories on its hands, without all the trouble of the ordinary routine employed in creating them, and especially without a discussion upon the Wilmot proviso and other vexed questions. This compendious way of doing work looked rather preposterous—if anything done by Congress could be considered preposterous. Continuing seriously, Mr. Schenck said that it had been attempted in an indirect way to admit one Territory—Wisconsin. He desired gentlemen favoring the proposition to show the difference between the Territory of Wisconsin and the Territory of Iowa. One had organized a State government by vote of its people; so had the other. In the case of Wisconsin, a small piece of the Territory had been left out of the State; in the case of Iowa a much larger piece had been left out. If the one piece was now to be considered the Territory of Wisconsin, so also should the other piece be considered the Territory of Iowa. He hoped that, inasmuch as the House had admitted a delegate from Wisconsin, its members would go on and provide all the necessary appropriations for the support of the Territorial government, and that they would make the same provision for Iowa, in anticipation of the holding of a convention and the election of a delegate by the people of that Territory.

Mr. Mullin promptly accepted Mr. Schenck's amendment, and the question was therefore on an amendment making provision for the expenses of the Territorial governments of both Wisconsin and Iowa.

Jacob Collamer, Whig, of Vermont, made the point of order that no appropriations should be made in the general appropriation bills for objects not already provided for by law; but Speaker Winthrop said he was not able to say that the Territory of Wisconsin was not provided for by law, but that he did not deem it necessary to decide that question, and was of the opinion that the amendment was in order.

Nathaniel Boyden, Whig, of North Carolina, speaking to a pro forma amendment, said that he denied the proposition that a vote of the House could establish a Territorial government. A majority of the House had voted that a certain gentleman [Sibley] was entitled to his seat as a delegate from Wisconsin; members must consider that action conclusive on the subject; but it by no means could operate to establish a Territorial government. It could be contended, with more propriety, that there was an additional State of Wisconsin, than that there was an additional *Territory* of Wisconsin. By an act of Congress the people of the Territory of Wisconsin had been authorized to form a State constitution and establish a State government. Provision, had been made for admitting the whole Territory into the Union as a State, and the State had been authorized to change its Territorial limits. As a State it had changed its Territorial limits, and left out a part of the State of Wisconsin; therefore it could be contended, with much more propriety, that the portion so left out was another State of Wisconsin, entitled to a representative on this floor and to two senators, than it could be contended that it was the Territory of Wisconsin. Mr. Boyden said that there was no Territory of Wisconsin. It was perfectly idle to talk about it as a Territory; and it would be just as proper, and more so,—for, he said, the district of country under discussion, "is but a little pea-patch, at any rate"—to claim that the portion of Territory left out when Iowa was admitted as a State was now a Territory, and entitled to a delegate on this floor. And, if

members of the House were going on this principle, let them go the whole length, and at the same time recognize Territorial governments over California and New Mexico.

Sibley himself seemed to consider that Mr. Boyden was his strongest opponent in his claim for admission as a delegate and also the most formidable foe to Minnesota. Years afterward (Minn. Historical Society Collection, Vol. 6 p. 279) he wrote:

> My claim was resisted with bitter pertinacity by certain individuals of the committee, particularly by the Hon. Mr. Boyden, of North Carolina, who made a long and labored argument against my right to a seat, and ridiculed the pretension that a Territorial organization still existed in the country north and west of the State of Wisconsin.

Of all those who opposed his claims he never mentioned but two, Mr. Boyden and Mr. Root, of Ohio. The latter argued in the committee of elections and on the floor against Sibley and Minnesota, but several others spoke more vigorously and effectively.

Mr. John Van Dyke, Whig, of New York, argued for the new Territory. He said it was idle to argue the question whether the delegate had been properly admitted from Wisconsin, as Mr. Boyden was disposed to do. Mr. Van Dyke said that it was not true there was any law of Congress embracing that whole Territory as a State. The law of Congress which admitted Wisconsin as a State embraced but a portion of what was once, by the law of Congress, the Territory of Wisconsin. Was it true that there was no such Territory as Wisconsin? There was a law on the statute book creating the Territory of Wisconsin and giving its limits. There was also a law carving out from that same Territory of Wisconsin a State of that name, but leaving the balance of the Territory as it stood before. But the act of Congress which carved out that portion of the Territory and made it a State did not repeal the law by which the old Territorial government was given to the Territory of Wisconsin. Congress had admitted about half that Territory as a State, and it was claimed that, in consequence, the former law was annulled, and that, too, without any repealing words—without any an-

tagonism. If this were true, then the people residing in that portion of the Territory which had been left out of the State were outlawed; so there were no judges, no sheriffs, no judicial tribunals, and all the laws that Congress had ever given them as a Territory had been abrogated, and destroyed, simply because Congress had erected a State out of a portion of the Territory. Mr. Van Dyke did not believe that these conclusions were correct.

Mr. Schenck, shrewd and adroit as when twenty years later he was our Minister to Great Britain, interrupted to ask Mr. Van Dyke whether or not Congress could repeal a law establishing a Territorial government.

Mr. Van Dyke replied that Congress had the power to establish a Territorial government, and it also had the power to reestablish a Territorial government over that part of Wisconsin Territory which had been cut off; but until it did so did not that part of the law which had not been repealed remain in force? There was certainly no antagonism between it and the law admitting the State. Mr. Van Dyke moved to amend Mr. Schenck's amendment by striking out the word "Iowa," but his motion was rejected.

Mr. Samuel F. Vinton, Whig, of Ohio, moved to amend the amendment by striking out the Territory of Wisconsin, for the purpose, as he said, of showing that all that Mr. Van Dyke had said about the Territory of Wisconsin was applicable in every particular to Iowa. The Territory of Iowa, had, in the first place, been created with certain limits, which he defined; it had at first formed a constitution for admission embracing a considerable portion of that Territory; but the boundaries were cut down by Congress and the State was admitted with these reduced limits. The law which admitted Iowa into the Union made no disposition respecting the Territory of Iowa. It did not repeal the law prescribing jurisdiction over that vast country, once a part of Iowa Territory, between the Missouri River and the foot of the Rocky Mountains; but that law was still in force and the Territory of Iowa still existed, if the Territorial law for Wisconsin remained in force over the little fragment of Wisconsin

which had been left without the limits of the State. He had no faith himself that either of these "Territories" existed, and probably so understood the situation, but if either of them was to be recognized as a Territory, there was four or five times as much Territory remaining which should be known as "Iowa Territory" as there was which should be known as Wisconsin Territory. The House had admitted a delegate from Wisconsin, and logically there ought to be one from Iowa—and there would be one, let him tell gentlemen, the next year. The House was, without knowing it, making new Territories and he did not know how many claimed to exist.

Mr. William Duer, a Whig, of New York, renewed Mr. Vinton's amendment. He said it had been a most extraordinary proceeding on the part of the House to insist upon a vote upon a question so important as had been involved in the admission of the delegate from Wisconsin Territory who had recently taken his seat without allowing any discussion or giving the members of this House the opportunity of reading the reports of the majority and minority of the committee on elections and examining the statutes. He believed there was no foundation for Sibley's claim to be admitted as a delegate from the Territory of Wisconsin, and he had been confirmed in that opinion by a study of the committee reports and of the laws. It was contended that the law constituting the Territory of Wisconsin had not been repealed, and therefore was still in force. If that be so, what is now the Territory of Wisconsin? Why, it must embrace the whole State of Wisconsin; for that was the only Territory of Wisconsin that Congress had ever constituted. When Wisconsin was admitted as a State, what was it that was admitted? Why, the recital of the act was that the people of Wisconsin had formed a constitution and asked for admission as a State, upon the same footing with the original States; and it was that Territory of Wisconsin, formed by act of Congress, which had been admitted into the Union as a State. But it was said that a little piece had been cut off, and therefore all the laws that Congress had applied to the original Territory now applied to this little piece. Of course, if Congress said so,

the argument was correct, but he denied that Congress had ever made a Territory out of the little slip.

Mr. Thompson, of Indiana, rose to defend Sibley and Minnesota from the fierce attacks of their host of opponents. He said he was astonished that gentlemen complained of having voted the other day on the admission of Sibley without understanding the question. The reports of the majority and minority of the committee on elections had been on the tables of members for a week or ten days before the House had been called on to vote upon the question? These reports presented but one simple, isolated, legal proposition, "which is, that the Territory of Wisconsin was originally organized to embrace within its limits what now constitutes the State of Wisconsin and also the district represented by the delegate from the Territory of Wisconsin." At different times Congress had fixed upon different lines as the limits of the jurisdiction of the State of Wisconsin. At the last session of Congress, when the State of Wisconsin was admitted, the northwestern line of the State had been fixed at the river St. Croix. The only question, therefore, left for this House to determine was whether, by forming the State of Wisconsin out of the Territory of Wisconsin, and leaving a portion of the Territory outside of the State the original primary law of Congress creating a Territory of Wisconsin was annulled beyond the line of that State. Mr. Thompson said he was astonished to hear gentlemen say that there could be any doubt about so clear a legal proposition as this: (1) Congress organized a Territory, and (2) subsequent to that organization created a State out of a part, of that Territory; then did not the Territorial law exist to all intents and purposes, beyond the limits of the State? If it did not, then that portion of the inhabitants who lived beyond that line were entirely disfranchised by the act creating the State.

Mr. Vinton interrupted to inquire if the same argument would not apply to that portion of the former Territory of Iowa which had been left without the limits of the State.

Mr. Thompson parried the inquiry and said he would not argue that question, and did not care whether or not the Terri-

tory of Iowa now existed; this House might determine that question. But it was certain that, unless the Territory of Wisconsin now legally existed, Congress had, without their consent, disfranchised a large portion of the people of that Territory. Yet, if that was the legal effect of the act creating the State of Wisconsin, then the Secretary of State and all of the officers in the Executive Department of the Government had misunderstood the effect of the law. These people were entitled to all the privileges and immunities conferred upon them by the act organizing the Territory, and there was nothing in the law creating the State of Wisconsin which took these rights from them. There had been no abrogation of the Territorial law, but that law had been left in full force and effect. Congress had transferred to a portion of the people of the Territory a system of State laws, but did not take from the remaining portion the original privileges and immunities given them.

Mr. Robert W. Johnson, Democrat, from Arkansas, said that nearly every man that had examined the question believed that whenever a Territory organized under the laws of Congress, had been formed into a State, all the laws relating to that Territory were abrogated. The boundaries of the State were defined and the balance of the former Territory left as public domain, to be acted upon by future legislation. The idea that there would still be a law authorizing a Territorial government there was nothing more than an admirable sophistry. The House, by a vote which it had given a few days ago, had been brought to a condition so preposterous as scarcely to excite a smile. He had the kindest feelings towards the gentleman [Sibley] to whom a seat had been given, and as a mere evidence of respect and regard would have been pleased to vote for him; but as a legal question he could not. Where was the evidence of the fact that the Territory of Wisconsin and the State of Wisconsin both existed, except in the acknowledgment involved in the vote given the other day on the admission of the delegate? There were no governments there—no executive or legislative powers in either. Referring to former instances of the admission of States embracing a portion of the former Territories, Mr. Johnson asked if the

remaining portions were to be considered Territories still in existence? Was that portion of the Territory of Missouri which was left out of the State still the Territory of Missouri? Were remnants of Territories in this way to be brought into the Union as States and wield the power of States? In every such case the Territory left over might as well be regarded in the same light as the Territory of Wisconsin.

Mr. William Pitt Lynd, Democrat, from Wisconsin,—one of the State's first representatives in Congress, with Mason C. Darling as the other—came to Minnesota's aid. He said he was surprised that any one should consider the recognition of Wisconsin Territory as an act of sophistry. An act of Congress, unless there should be some subsequent interfering action, was to be considered as still in force. If taking a portion of the Territory and forming it into a State, made entirely void the original act of organization, when was it that the Territory of Wisconsin became obsolete? A portion of this Territory was taken years ago and organized into the State of Michigan when she had her quarrel with Ohio as to the boundary line, and that portion became a part of Michigan. There was but a portion of Wisconsin Territory which had been organized into a State; one-third under the original act was still left.[1] Another portion of the original Territory had been taken by treaty and ceded to the British government. Did these two acts of cession entirely invalidate the original act? If not—and it could not be contended that they did—there was no consistency in arguing that the organization of a portion of the State into a Territory necessarily rendered the original act void, although it was true that it did so in regard to that part of the Territory which had been made a State. It had been the custom of Congress when a portion of a Territory was organized into a State to organize the remainder into a Territory and to repeal the old laws of organization. That had been done in many instances and he could not see why the same rule should not apply in the present case. He could not see the necessity for the

[1]This one-third was what Mr. Boyden had called "a mere pea-patch."

organization of the cut-off portion into a Territory provided the official machinery was already sufficient so that the affairs of the Territory could go on. This question had already been decided. At the last session the members from Wisconsin addressed a communication to the United States Secretary of State in regard to the balance of Wisconsin Territory. The Secretary replied that as to the laws passed by the Territorial Legislature in relation to local affairs, etc., there could be no doubt that they remained in force.

Mr. Joseph M. Root, Whig, of Ohio, spoke against Minnesota. He said the discussion had been in a joke—in fun—and members had got to arguing it in earnest. Let gentlemen consider upon what they were acting. He supposed the matter was intended to show the difficulty, the absurdity, into which the House involved itself the other day by admitting the gentleman who represented what was claimed to be Wisconsin Territory. He would not discuss the question whether there was a Territory left there yet. This he would say, that if the Territorial government still existed it was just such a one as it was when first created—that or nothing. A portion of Iowa Territory had also been left, and it might equally be contended that that portion existed as the Territory of Iowa, for the Territorial law had not been repealed. But as to Iowa, it was the same as in the case of Wisconsin—the law establishing a State was utterly inconsistent with the essence and principles of the law establishing the Territorial government. He believed that it was ample to settle questions of so grave a character in a civil and diplomatic appropriation bill. If the House was right the other day in admitting the delegate from Wisconsin Territory, then provision should be made for carrying on the Territorial government; there was no doubt that if the majority of members had voted right in admitting the delegate, they must go on and make these appropriations. But he thought that there had been great error from the first, and that members should stop where they were, although the House could, as a matter of courtesy, allow the delegate to retain his seat and receive his per diem.

Mr. Vinton renewed his amendment to strike out the appropriation for Wisconsin Territory, and by a vote of 76 to 35 the amendment was agreed to. The question then recurred on Schenck's amendment to make an appropriation for the Territory of Iowa, meaning that part cut off by the admission of the State, which portion was still unorganized.

Mr. Daniel S. Dickinson, Democrat, of New York, subsequently United States Senator and candidate for the nomination for President, on a pro forma amendment said he had listened to the reasons given for Sibley's admission and to the reports of the majority and minority of the committee on elections, and he was satisfied that there was no ground for admitting a delegate under any law. All Territorial laws must be abrogated the moment a Territory, whether Wisconsin or Iowa, is admitted into the Union. He had voted for Sibley's admission, but not because of the reasons given in the committee's report. When a delegate from any portion outside a Territory presented himself as a representative of their interests, it was within the discretion of Congress to admit him or not. He believed that Congress had a right to admit a delegate from any portion of the people of Wisconsin, Iowa, California, or New Mexico without any law. If the people sent a delegate here, they did it on their inherent principle of self-government, which exists in all cases; they did not do it under any law. But Mr. Dickinson said he was opposed to making any appropriation for the Territory of Wisconsin or California; we have no governments there, no executive or legislative officers; and if Congress shall appropriate money for any such Territory, it must do so for another.

Mr. Dickinson closed the debate. It is fairly evident that the opposition to the admission of Sibley and to recognizing the existence of Wisconsin Territory had decidedly the better of the argument. But the case had been already decided. Congress thought it best to admit Sibley first and then debate the question of his eligibility and of the propriety of their action afterwards. If the previous question had not been ordered upon Sibley's admission, and, if the arguments made January 18 had been made January 15, it is quite probable that Sibley would have

been rejected. When the vote was taken on Mullin's amendment to appropriate $10,500 for the expenses of the officers of "Wisconsin Territory,"—after it had been amended by adding California—the amendment was voted down. There is no record of the vote in detail. The Congressional Globe (Volume 20, 2d Sess, 30th Congress 1848-9, pp. 295-7) contains the debate quoted, but little else.

It is a little singular that one strong argument against Sibley's admission which might have been made was not presented. He was not a citizen, or even a resident, of Wisconsin Territory. The western boundary of Wisconsin Territory did not extend beyond the Mississippi, and Sibley lived at Mendota, on the west bank of the River. True his residence was near the River's bank, but he might as well have lived in Massachusetts. But the point was not raised against him. Perhaps nobody discovered it; certainly those opposed to him did not, for although it was perhaps fatal in a strictly legal sense they had only to cite attention to it to put the knife into his case instantly and with fatal effect. If his friends knew it they were discreetly silent. Knowledge that the aspirant was not a resident of the Territory that he claimed to represent would have furnished abundant and effective reasons for his rejection.

The exact location of Sibley's residence was at first deemed of importance by the best authorities here. September 4, 1848, Governor Doty, of Wisconsin, wrote to Sibley on the subject saying:

> Now, I do not know on which side of the river (The Mississippi) you are, but am confident if you will establish yourself on the East side—which you can easily do—you can be elected the delegate. Let me urge you to do so, as nothing would please me more than your election.

But October 15, Doty wrote that he had carefully examined the subject and concluded that Sibley was eligible, whether he lived in Wisconsin Territory or not. He said:

> I have examined the act to establish the Territorial government of Wisconsin and do not perceive that it contains any provision requiring either the delegate, Governor, Judge, or other officers to be either citizens or residents of the Territory. My opinion is, therefore, that the

people of the Territory may elect any person the delegate who is not now actually an inhabitant of the Territory, and that he may hold his seat in Congress as such.[1]

Legally perhaps there was no objection to Sibley's admission, but Congress has never set the precedent of admitting a delegate to represent a Territory in which he did not actually reside.

The truth seems to be the Wisconsin "delegate" was admitted to his seat more by reason of his admirable personal qualities than for his legal or other qualifications. He was then thirty-eight years of age, a tall but well proportioned figure, debonair and attractive in presence, of accomplished and intelligent manners, thoroughly informed on general subjects, a good conversationalist and a boon companion. It was not difficult for such a character to be well received and to become personally popular.

In his memoir of General Sibley, (Minn. Historical Society Collection. Vol. 6, p. 279) Williams says:

Some of the members who advocated and voted for the admission of General Sibley to a seat admitted that they did so largely out of courtesy to him and because, having become acquainted with him during the pendency of the question, they entertained such a warm personal regard for him on account of his bearing, high character and attainments. The prompt organization of our Teritory was largely due to the selection by the people here of a man who was calculated to make such a good impression abroad.

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[1]Doty to Sibley from Neenah, Wisconsin, October 15, 1848, Sibley Letters 1840-50.

Chapter XXXI.

CREATION OF MINNESOTA TERRITORY.

STEPHEN A. Douglas, the earnest and efficient friend and zealous champion of the idea of organizing a Territory to be called Minnesota, can never be too highly honored for his services in their behalf by Minnesota people. He pushed the project during the first session of the 30th Congress—during the winter, spring, and summer months of 1848—and upon the very first day of the second session, December 4, gave notice that he should, "on tomorrow or at some early day," ask leave to introduce anew a bill to establish the Territory of Minnesota.

December 20, on Douglas's motion, the bill for the establishment of Minnesota, as well as that for the organization of Nebraska, was recommitted to the Committee on Territories.

January 8, 1849, Mr. Douglas, from the Committee on Territories, reported back the Minnesota bill with an amendment, and the amended bill was made a special order of the Senate for action on the 17th; on that date consideration was deferred until the next day.

On the 18th the bill was taken up and sundry amendments thereto concurred in. Senator Andrew P. Butler, Democrat, of South Carolina, was the first speaker. A strong pro-slavery man, he did not greatly relish the idea of the organization of any more free States, one of which Minnesota promised to be. Mr. Butler said:

> I do not know that I shall oppose this bill, but I take occasion to say, what may perhaps not be properly understood, that there will be embraced within the Territory of Minnesota about 20,000 square miles of land that was covered by the Ordinance of 1787 and formed

a part of what was commonly called the Northwest Territory, out of which only five states were to be created. The five states have already been created, and the separation of this tract and the formation of an additional State is, to my apprehension, not only a violation of good faith, but a violation of the positive provisions of that Ordinance. * * * This is unfortunately the state of things, and I do not know that there is any remedy for it now, at this late day; it ought to have been looked to at an earlier period. We have no longer any control over the matter, and I rose merely to bring the facts to the recollection of the Senate.

Senator James D. Westcott, Democrat, from the then new State of Florida, asked Douglas if the amendments adopted related to the judiciary of the proposed Territory and Mr. Douglas replied that they did not. Mr. Westcott then said:

The bill as originally reported, I would suggest, provided for the organization of a Judiciary for this Territory, which appeared to me to be entirely unnecessary. I understand that the population of the Territory does not exceed 7,000 at the utmost; that there are not more than 1,200 voters; and that this population is located all in one section of the Territory. It appeared to me, when the bill was presented at the last session, that the Judiciary proposed to be organized there was unnecessary—at least that there was no present necessity for it—and that it would be better to leave it to be provided for hereafter, when the population shall have considerably augmented.

Mr. Douglas replied:

The provision in relation to the Judiciary, I will state, is precisely the same as that inserted in other Territorial bills. There are to be three Judges, who are to hold courts in their districts, the three together forming the Superior Court of the Territory. The objection which the Senator from Florida takes is that there is no necessity as yet for three judges. In reply to that I will state that the population is very much scattered, and if there is not a necessity for three Judges now, there certainly will be in the course of the summer. I do not know that it will be obligatory on the President to appoint these Judges at once, but I thought it better to make the bill perfect in regard to the Judiciary and put it upon the same footing as all other Territories.

Mr. Westcott rejoined:

I will say to the Senate that when the Territory of Florida was organized—a Territory containing a much greater area than that of Minnesota and containing a population of 25,000—we were allowed but

two judges, and it was not until after the lapse of two or three years that we were allowed three; when the necessity manifested itself, Congress granted an additional Judge. Now it strikes me that there is no necessity for three Judges for a population of 6,000 or 7,000 and in a country, too, where there is no admiralty jurisdiction, where no admiralty cases arise, as there did in Florida. I certainly think it will be best to restrict the number in the first place to two, and let them be augmented when it becomes necessary.

Westcott's proposition was accepted and assented to and the bill amended accordingly, giving the Territory two judges instead of three. Further consideration of the bill was again taken up January 19. Answering a question by Senator William R. King, Democrat, of Alabama, (who four years later, or in 1852, was elected Vice President, but died before ever assuming his seat,) Douglas stated as his impression that there were between 8,000 and 10,000 people scattered throughout the proposed Minnesota Territory, although they were aggregated into compact settlements. He said that at any rate there were more than the usual number of inhabitants necessary for the establishment of a Territorial government. As a fact Douglas's estimate was really double the actual number of people in the country.

King said if in the new Territory the inhabitants were located "here and there" and scattered over an immense tract of country it would be almost impossible to establish and carry on a government. Douglas replied that there were compact settlements, scattered throughout the Territory. "There is" he said, "a settlement in the valley of the St. Croix tolerably dense and compact; several miles below this place there are other settlements compact in themselves. Some 100 or 200 miles distant from these settlements are others compact in their nature. The settlements throughout adjoining one another, are within the proper limits of the Territory, and in a position where laws could very well apply."

Senator Westcott, of Florida, said:

I would state to the senator from Alabama that a day or two since I had a very interesting conversation with the delegate from Minnesota [Sibley] in relation to this very subject. Contiguous to the

Falls of St. Anthony, I understand there are about 6,000 people located within about one hundred square miles of the Territory. This settlement polls some 1,200 votes, and this Delegate with whom I had the conversation was elected as such by that settlement. There are two or three other settlements, as the Senator from Illinois has just stated, compact in their nature. This Delegate has impressed upon my mind the great necessity of having a Territorial government for Minnesota by a variety of reasons. Immigrants are coming rapidly into the Territory, and the inhabitants are building mills of a very important character. They are absolutely making improvements on the rivers and preparing to make a dam along the side of one of the larger streams. There is no law in the country to affect the action of individuals in this respect; and in fact ever since Wisconsin was admitted into the Union there have been no laws of any description to regulate the affairs of the inhabitants. I am told that there are some forty [?] lawyers practicing there, which is a favorable sign as to the resources and extent of the settlements. I am fully satisfied of the necessity of immediate organization of a government over them.

Senator Augustus C. Dodge, Democrat, of Iowa said:

The establishment of this Territorial Government in Minnesota is a matter of deep interest, not only to the inhabitants of that Territory, but to those of my State. There is no existing government or laws now in that Territory. Their establishment has been put off from time to time, without reason or justice, for a long time past. A bill similar to the one presented by the Senator of Illinois almost unanimously passed the House of Representatives at the last session of Congress. Ever since the adoption of a State constitution by Wisconsin this Territory has been without laws. Whole counties [there was but one county, St. Croix, claiming to be such] that were once a portion of Wisconsin are now without any law whatever. I trust that no opposition will be made to a measure that has been so long pending in both Houses of Congress.

Senator Andrew P. Butler, Democrat, of South Carolina said:

Part of the Territory now called Minnesota formed, at one time, a part of the Territory of Wisconsin. The eastern boundary of the Territory of Minnesota, separating it from Wisconsin, runs down from the western part of Lake Superior to the St. Croix River. That river, therefore, forms a very valuable and important medium of communication between the settlements of this Territory and the more easterly portion of the country, and in that part of the Territory, as I understand, there are many inhabitants. They have hitherto been under the

protection of the laws of the Territory of Wisconsin, but since the admission of that Territory into the Union as a State these settlements have been left without any such protection. All that part of the Territory called Minnesota lying between the St. Croix and extending to the Mississippi falls under the Ordinance of 1787. It is impossible now for Congress to retrocede it or to compel Wisconsin to take it back. The inhabitants of this Territory are now without the protection of law, and they call for such protection perhaps as much as any other portion of the Union, similarly situated. About 1,400 of the inhabitants are settled upon that portion of the Territory formerly embraced within the limits of Wisconsin. Beyond the Mississippi, I believe there is another settlement, upon very good land (Mr. Douglas interupted to say that there were two settlements beyond the Mississippi and Mr. Butler accepted the correction). Very well; there are two settlements there. I understand the population is increasing very rapidly and their judicial matters are becoming more and more complicated every day, and require a political jurisdiction of some kind to be established at once. If there are 10,000 inhabitants in that Territory, they certainly demand at least an ordinary Territorial government.

Senator King said he wished it understood that he did not oppose the establishment of a Territorial government over the Minnesota country, provided there were a sufficient number of inhabitants in that country to render such establishment expedient and proper. He had thought that the movement to establish such a government was rather premature, but the statement of Senator Douglas that there were 10,000 inhabitants in that country, distributed in compact settlements, had obviated his objections to the immediate establishment of a Territorial government over them.

The great Alabamian, polished, courteous, and honey-tongued, but always zealous for the rights and interests of the South, could not resist saying, in mellifluous sentences, that having yielded so large a portion of the Northwest Territory—from which five free States, and only five, were to be made—to make another additional free State, was evidence of the liberality and fairness of the Southern or slaveholding States. "I am not disposed," said Senator King, "to oppose the formation of such a State, although its formation might be supposed to operate in some degree against the particular interests of my section of the country."

Then he went on to refer to the hot and hostile course of the anti-slavery forces of the day, who were intolerantly and uncompromisingly insisting that there should be no more slave States, and, indeed, no more slave Territories. "I wish the same feeling and spirit of liberality." said the Senator, in sad but dulcet tones, "actuated other quarters of this Union in regard to the establishment of Territorial governments over sections of the country where there are at this time ten times as many inhabitants as Minnesota now contains. But such is not the case, and I deeply regret it."

If more Congressmen had, like Mr. King, chosen to present their case with argument and reason delivered in soft speech, rather than attempt to establish their cause with bluster and vapid deunciation, they might have accomplished more. Abolitionists of the ultra radical school of Giddings, Gerrit Smith, and John Brown effected much less than the Republicans of the Lincoln, Seward, and Chase class who really brought about and accomplished national freedom.

Senator Dodge, of Iowa, was a strong advocate of Minnesota and a warm personal friend of Sibley. His father, General Henry Dodge, who was then a Senator from Wisconsin, was another friend of the Territory and the delegate. The General was well acquainted with Minnesota. He had made the treaty of 1837, at Fort Snelling; had been the last Governor of Wisconsin Territory when it included the country between the St. Croix and the Mississippi, and had a personal acquaintance with many pioneers of the district. Dodge, of Iowa, replying to Senator King, said:

As regards the feelings to which the Senator has referred, and which are entertained in some sections of the Union regarding the organization of Territorial governments over certain Territories belonging to this country, I can say that I shall be found voting on all occasions in favor of the organization of governments in our new Territories, being willing to risk the little popularity which I now enjoy in the promotion of what I may consider the general good of this whole country. As to this matter of boundary, I will state that Wisconsin would have gladly retained all that portion of the territory embraced in the Ordinance of 1787 which was at first assigned to her. That portion of her territory

was not set off because it was the choice of her people, but because the Congress of the United States dismembered her territory and curtailed her limits. I am sorry that the views of the Senator from Alabama with regard to Iowa and Wisconsin did not prevail at that time. If we have obtained too much elbow room, it is not our fault; and if injustice has been done to Wisconsin by curtailing her limits, I hope the same injustice will not be done to Minnesota by cutting off that portion of her territory which was originally embraced in the Ordinance of 1787, and thus curtailing her just limits and restrict her boundaries.

Senator Butler, of South Carolina, said:

I have understood that it was at the instance and earnest request of Wisconsin that a line has been run as I have described. Wisconsin desired to get rid of the territory beyond the St. Croix, because she thought it would be to her interest to exclude it, as it was so situated that she could not very well govern it, and therefore she did not desire to continue it in her jurisdiction. I have always understood that this territory was excluded from the State of Wisconsin at her own request.

Senator George E. Badger, Whig, of North Carolina, who had been Harrison's Secretary of the Navy, rose to inquire what the provisions of the present bill were—whether they were similar to the provisions of other Territorial bills. He thought it clearly a case calling for a Territorial government, but he desired to know how many officers it was proposed to give to "these 10,000 people."

Senator Douglas, answering Mr. Badger, said:

It strikes me that the provisions of this bill are the same as those of the bill by which a Territorial government was extended to Wisconsin when she had not so many inhabitants as Minnesota now has. It provides for precisely the same form of government as was extended to Iowa when she had not so many inhabitants as Minnesota, and precisely the same government as was extended to Oregon, when she had about the same number of inhabitants that Minnesota now has. This form of government is composed of a small legislative body, a Governor, a district attorney, and judges, a marshal, and other necessary officers. The bill provides for the simplest form of a Territorial government, and does not contain a single peculiar provision.

Not a single Senator spoke or objected to the bill. Douglas so exaggerated the favorable conditions as to the population, wealth and condition of the Territory that the other senators

knowing nothing to the contrary accepted his statements and views, shared his decision and readily voted to organize the new Territory.

When Iowa was made a Territory, in 1838, the population was 22,859; when Wisconsin became a Territory, in 1836, the population was 22,218; when Oregon was made a Territory, in 1848, the population was 10,715; when Minnesota became a Territory, in 1849, the population was but 4,780. Senator Douglas certainly did not know these facts, or he would hardly have made such gross mis-statements, even though he believed that the end would justify the means.

There is no printed record of the vote in the Senate on the Minnesota Territorial bill so that we can now tell who voted for it and who voted against it. The *Congressional Globe* for January 19, 1849, sets forth, after Douglas remarks last quoted, that "The bill was ordered to its engrossment, read a third time by unanimous consent, and passed. Probably it was carried by unanimous consent and passed." The *Senate Journal* for the date mentioned makes no mention of the matter whatever.

Chapter XXXII.

TERRITORIAL BILL IN THE HOUSE.

AFTER its passage in the Senate the bill for the creation of Minnesota Territory was sent over to the House of Representatives and on its reception was referred to the Committee on Territories. February 8, Caleb B. Smith, a Whig, from Indiana,—subsequently Secretary of the Interior in Lincoln's Cabinet—reported the bill back to the House with an amendment.

Mr. Smith said to the House, that the Committee on Territories, desirous of early action on the bill, had instructed him to report, in order to obviate the necessity of a reference to the Committee of the Whole on the State of the Union. The bill contained nothing with which the House was not familiar. It was drawn like other Territorial bills and had been printed and he hoped the House would put it on its passage now. Speaker Winthrop stated that as the bill contained an appropriation when it came from the Senate it would have to be, under the rules, considered in Committee of the Whole, and the bill and its amendments were so referred.

On the 12th Sibley rose and from his desk addressed the Speaker for a few minutes, but he spoke in such low tones that the Chair could not hear him. The tall Northwesterner then came down directly in front of the Chair and submitted a motion that the Committee of the Whole on the State of the Union be discharged from the further consideration of the bill to provide for the organization of the Territory of Minnesota, and that the rules be suspended, in order that the House might proceed to

the consideration of the bill with a view to put in on its passage.

Sibley and his friends had canvassed the situation and felt confident that they could pass the bill through the House, although by a bare majorty. They did not want any more embarrassing arguments similar to those which had been advanced during the debate on the Mullen amendment in the House, January 18. They therefore concluded to muster their full strength and put it through under the previous question or "gag rule" which would forbid debate.

Replying to Sibley's motion to suspend the rules, Mr. Armistead Burt, a Democrat, from South Carolina, objected to the motion in its complete form, saying that if it were merely to discharge the Committee of the Whole from the consideration of the bill he would not object; but the Speaker interrupted him to say that the bill was not debatable. Mr. Sibley said he did not think that the bill was likely to lead to any debate. The vote was then taken on the motion to suspend the rules—which required a two-thirds vote—and the motion voted down. Sibley and his confreres merely renewed their efforts.

February 22, 1849, was a great day of debate in the House on the Territorial bill and the question was really decided then. Upon the opening of the day's session the Speaker gave the floor to Sibley, who at once moved to suspend the rules to enable him to bring the Minnesota bill before the House. The motion was not debatable, and very soon it was voted upon. To pass it required 154 votes, and it received but 47; no quorum had voted. Tellers were appointed and another vote taken, which resulted, ayes, 85; noes, 18,—again no quorum. At this time the House was composed of 229 members, and 115, or a majority, constituted a quorum.

The friends of the bill now ordered a call of the House, and 145 members responded—30 more than a quorum. The rules were then suspended by a vote of 100 to 16—just one more than a quorum, and far more than two-thirds voting in the affirmative. Then, on Sibley's motion, the Committee of the Whole was discharged from the further consideration of the bill and it was before the House.

Sibley said that several members had asked him not to move the previous question, as they wished to speak upon the subject of the bill, but he believed that if debate were allowed it would be a very lengthy one, and with all deference he felt that he must move the previous qustion. Rockwell, of Massachusetts, inquired if the previous question would cut off an amendment to the bill which he had offered. Rockwell was a member of the Territorial Committee and his amendment, which he had reported from a minority of that Committee, provided for giving the "rights, privileges, and advantages" guaranteed by the Ordinance of 1787, and subjecting them to, "all the conditions, restrictions, and prohibitions" of that instrument.

The Rockwell amendment was designed specifically to forbid slavery in Minnesota, although this prohibition had already been embodied in the bill. It seemed that Mr. Rockwell, an anti-slavery Whig, wanted to start a discussion on the slavery question and thereby give the free soilers a chance to air their views and thus throw the sensitive pro-slavery members into a frenzy. Yet, further on in the discussion, he said that if Sibley would let him move his amendment he would immediately thereafter and without saying a word, move the previous question. The Speaker decided the Rockwell amendment out of order, but its champion continued to try to get it voted upon, though Howell Cobb, of Georgia, repeatedly called him to order, and at last Speaker Winthrop announced the question to be on seconding Sibley's motion for the previous question. The adoption of the motion would of course stop all debate.

Boyden, of North Carolina, who had consistently and continually been against Minnesota from the first, now rose. He had opposed Sibley's admission, had scouted the idea that there was a Territory of Wisconsin, which he characterized as a "mere pea patch," and he was still hostile to Minnesota interests. He made the point of order that Sibley, who was but a delegate and not a full member, had no right to move the previous question. Howell Cobb called him to order and the Speaker decided that Sibley had the right to move the previous question or make any other motion. Boyden appealed from the Speaker's decision but the House, by a large majority, sustained it.

Caleb B. Smith instituted an inquiry which resulted in the information that the Territorial Committee's amendments had been printed, and that some of them were in brackets in the body of the bill.

The "Native American" party—afterwards called the Know Nothing party—had one representative in the Thirtieth Congress, Lewis C. Levin, of Pennsylvania. The chief tenet of the party was opposition to allowing aliens and Roman Catholics to vote or hold office until the former class should have resided in the United States for twenty-one years and until the latter should forswear all temporal allegiance to the Pope. Mr. Levin rose to an inquiry on a point of order. He asked whether the provision of the fifth section of the bill, which secured to aliens the right of suffrage and to hold office, was not virtually a repeal of the naturalization laws of the United States. The Speaker promptly said: "That is not a point of order," and Mr. Levin subsided.

The demand for the previous question was then seconded by a vote of ayes, 95; noes, 71. The question then was: Shall the main question be now put?—that is to say, Shall the bill for the organization of the Territory of Minnesota be now voted upon? Rockwell of Massachusetts demanded the yeas and nays. Joshua R. Giddings, the old veteran abolitionist from the Western Reserve District of Ohio, hoped that the main question would not be put unless the Rockwell amendment should first be voted upon. After a little skirmishing and a rallying of forces on the respective sides, the main question was ordered by the very close vote of 102 to 99, only the small majority of three votes. Among those voting aye were Linn Boyd, Democrat, of Kentucky, subsequently Speaker of the House; Howell Cobb, Democrat, of Georgia, who became Speaker, Secretary of the Treasury and Confederate General; Willard P. Hall, Democrat, a Union war Governor of Missouri; George S. Houston, Democrat, of Alabama, who became Governor; Robert W. Johnson, of Arkansas, who became United States Senator; Abraham Lincoln, who became immortal; John A. McClernand, an Illinois Democrat, who became a Union Major General; Alexander H. Stephens, Whig, of Georgia, who became the Confederate Vice President; Richard

W. Thompson, Whig, of Indiana, afterward Secretary of the Navy, and Robert Toombs, Whig, of Georgia, who became a United States Senator and a Confederate General.

Some of those who voted no were Jacob Collamer, Whig, of Vermont, who became Taylor's Postmaster General and a United States Senator; Joshua R. Giddings, of Ohio; Horace Greeley, then a Whig; Horace Mann, the educator; John G. Palfrey, the historian, and "Long" John Wentworth, of Chicago.[1] Party lines were not closely drawn, but more Democrats voted aye than Whigs, and of the noes there were more Whigs than Democrats. The Southern Democrats were very largely for the organization of Minnesota, and Howell Cobb and Robert Toombs were very zealous for the measure.

Having decided that the question should be immediately voted upon without debate, the House proceeded to consider the committee's amendments. The first amendment proposed to change the date when the bill should go into effect from, "the passage of this act" to "the 10th day of March, 1849." This would postpone the date until after the inauguration of President Taylor and the incoming of the new Whig administration and all of the Territorial officers would be Whigs; if the bill became a law before President Polk went out then the Territorial appointees would be Democrats, and probably Sibley might be the Governor and Joseph R. Brown the Secretary.

"To the victors belong the spoils," and the Whigs to a man—Giddings, Greeley, Lincoln, Horace Mann, Alexander Stephens, and all the rest, even Boyden, Vinton and Schenck—voted aye, while the Democrats lined up as solidly on the other side, voting no. The amendment was temporarily voted down by a vote of 97 for and 101 against, and the Democrats were a little hopeful.

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[1]In his address before a banquet of the Old Settlers' Association, at St. Paul, June 1, 1858, General Sibley said that Wentworth was "a good friend of our Territory, and aided much in achieving the final result." (See Vol. I., Historical Society Collection, foot note on p. 61.) The record shows that while Wentworth voted to admit Sibley and against Schenck's motion to table the Territorial bill he voted against taking it up and putting the main question, on February 22, at a very important crisis. Had the House decided not to vote upon the bill that day, its fate during that session of Congress was in great doubt.

Then up rose Schenck, of Ohio, daring as when he fought the battle in the Virginia railroad cut or led his brigade at Bull Run, and bold as when he boosted the Emma Mine, and moved to lay the Minnesota bill on the table. The friends of the bill rallied and voted down the motion, the vote standing ayes, 88; nays, 101. All those heretofore opposed to the bill—headed by Boyden, Giddings, Greeley, and even Dick Thompson, of Indiana—voted to kill the bill, while Lincoln, Howell Cobb, Alexander Stephens, and Robert Toombs voted to keep it alive. Eight amendments were now considered and adopted. The eleventh amendment, to appropriate $20,000 for the erection of public buildings "for the use of said Territory," was voted down, as was the twelfth amendment, appropriating $5,000 for a Territorial library.

The Whigs now brought forward the thirteenth amendment, which was identical with the first, that had been voted down. They renewed their efforts to secure the offices, and having received re-enforcements were this time successful. The amendment read:

"This act shall take effect from and after the 10th day of March, 1849."

Kaufman, of Texas, asked the Speaker whether, if the amendment were adopted, it would not take the appointment of the Territorial officers from President Polk and give it to President Taylor, and whether or not the amendment was offered "palpably, for that purpose." The inquiry was plainly to call the attention of the Democrats to the situation and get out their full vote. Speaker Winthrop said in reply, with assumed innocence amounting to naivete, that the Chair had no information on the subject. The thirteenth amendment was adopted by a vote of yeas, 101; nays, 95. The vote on the first amendment had been yeas, 97; nays, 101, so that the vote on the thirteenth, the second effort—the two amendments being the same—was almost an exact reversal of the first. All the affirmative votes were Whigs; all the negatives Democrats. Upon a point of order by Evans, of Maryland, further consideration of the bill was postponed for the day and the House went to the business on the general calendar.

On the night of Wednesday, February 28, the final action of the House was taken. On that day the bill to establish the Territorial Government of Minnesota, was, in its order, taken from the Speaker's table, and the question being on its passage Sibley, expressing his sense of the importance of the bill and his unwillingness "at this late hour" to detain the House with any remarks, moved the previous question. His motion was seconded, the main question ordered, and the bill was passed. There is no record of the ayes and nays. Sibley made the pro forma motion that the vote be reconsidered and that the latter motion be laid on the table. The latter motion was agreed to, and the danger was well nigh past and the victory accomplished. *"Finis coronat opus."*

There had been a close contest and the victory was hardly won. Had a full and free debate been had, the bill would probably have failed for that Congress; and the previous question, cutting off debate, had been carried by only twenty-four votes. The main question had been ordered by but three majority, and two-thirds of the 102 votes in its favor were cast by Southern pro-slavery men. Schenck's vindictive and malevolent motion to kill the bill by laying it on the table was defeated by only thirteen votes.

One feature of the contest deserves to be noted. At every phase of the question, on every vote bearing upon it, Abraham Lincoln was steadily and unreservedly in favor of creating Minnesota. He voted to admit Sibley, he voted to organize the Territory on every occasion, directly and indirectly—sometimes voting in a general way with the Democrats and against a large majority of his own party, the Whigs—always in favor of the new Territory in the Northwest whose soil was to be forever free.

Andrew Johnson, then a Democratic member from Tennessee, did not vote on the Territorial bill until the night of March 3, when he voted that the House recede from the ninth amendment, prescribing the 10th of March as the day when the act should take effect. As noted, the Senate, being strongly Democratic, had disagreed to this amendment and it would imperil the bill if the House did not follow suit.

The bill went back to the Senate to have that body act on the House amendments. March 1, Douglas moved to disagree with the amendment prescribing that the act should take effect March 10, so that the Whigs could have the Territorial officers. The motion carried, thirty Democratic Senators voting for it and eighteen Whigs against it. Those voting in the affirmative were the following Senators:

Allen, of Ohio.	Dix, of N. Y.	King, of Ala.
Atchison of Mo.	Dodge, of Iowa.	Mason, of Va.
Atherton of N. H.	Douglas, of Ill.	Niles, of Conn.
Benton, of Mo.	Downs, of La.	Rusk of Texas.
Borland, of Ark.	Fitzpatrick, of Ala.	Sebastian, of Ark.
Bradbury, of Me.	Foote, of Miss.	Sturgeon, of Pa.
Breese, of Ill.	Hannegan, of Ind.	Turney, of Tenn.
Bright of Ind.	Houston, of Texas.	Walker, of Wis.
Cameron, of Pa.	Johnson of Ga.	Westcott, of Fla.
Dickinson, of N. Y.	Jones, of Iowa.	Yulee, of Fla.

The Whig Senators voting no were:

Badger, of N. C.	Davis, of Mass.	Pearce, of Md.
Baldwin, of Conn.	Greene, of R. I.	Phelps, of Vt.
Bell, of Tenn.	Johnson, of Md.	Spruance, of Del.
Berrien, of Ga.	Johnson, of La.	Underwood, of Ky.
Clarke, of R. I.	Mangum, of N. C.	Upham, of Vt.
Corwin, of Ohio.	Miller, of N. J.	Wales, of Del.

The bill went back to the House for concurrence in the amendment. There was some danger that the Whig House would refuse to concur and the precious measure lost because of a quarrel over the spoils. But the 3d of March came without action, and then it was apparent that a Whig President would name the Territorial officers, because the Democratic administration would expire in a few hours, and that of General Taylor and the Whigs installed. So Sibley moved, in order that the bill might not die, that the House recede from its action on the amendment making the Minnesota bill take effect March 10. The opponents of the bill contrived to avoid a vote until late in

the night. At last Sibley succeeded in forcing action without debate. The house receded from the amendment by a vote of 107 to 70.

Among the inveterate foes of the bill who voted from first to last against it, and were among the vindictive and irreconcilable 70, were George Ashmun, of Massachusetts, Boyden, Collamer, Horace Greeley, Horace Mann, Mullin, Schenck, and Caleb B. Smith. Some of the 107 were the ever-faithful Howell Cobb, Abraham Lincoln, Andrew Johnson, Alexander H. Stephens, Lynn Boyd, "Dick" Thompson, John A. McClernand, and "Bob" Toombs.

The bill was now ready for the President's signature. It was rushed over to President Polk and he signed it near, and it may be after, midnight of March 3. At 2:25 on the early morning of Sunday, March 4, Secretary Ashbury Dickens ran into the House and called out:

"Mr. Speaker—The President of the United States has notified the Senate that he signed and approved 'Senate 152,' an Act to establish the Territorial government of Minnesota."

Some other acts were named as having also been signed and approved. Then Jacob Thompson, of Mississippi, moved that as it was half past two o'clock on Sunday morning, March 4, the House adjourn, but only eighteen members voted for the motion. Not until seven o'clock A. M., when the sun had risen, did the lower House of Congress adjourn. The Senate, too was in session until daylight.

March 4, 1849, was the day fixed by law for the inauguration of the President and Vice President; but as it fell upon a Sunday the ceremony was postponed until the following day. All that day the Republic went without a President. President Polk's time expired at midnight of March 3. The President of the Senate, David R. Atchison, of Missouri, was therefore, under the law, the acting President that memorable Sunday. Years afterward he said to the compiler of this volume: "They say I was President for one day. Maybe I was; but I hardly noticed it. I had been up all the preceding night attending the session of the Senate, and I had lost a great deal

of sleep in the closing days of Congress, and after a light breakfast on the morning of the 4th of March I lay down and slept soundly almost through my entire term."

As has been said, it was largely the gentlemanly bearing and fine personal qualities of Sibley which secured his admission. It was largely through the influence of these qualities that Sibley was able to have Minnesota Territory organized. He had first secured the full sympathy of Douglas, who was always aggressive, able, and effective, and who at the time was in the highly potent position of Chairman of the Senate Committee on Territories. The Dodges, father and son—the one from Wisconsin and the other from Iowa—were Sibley's personal friends and assisted him greatly among their fellow members of the Senate.

John Catlin, Morgan L. Martin, and a few other Wisconsin men wrote to friends and acquaintances in Congress and helped the Minnesota cause. Catlin did so much for it that his name ought to have been given to a county, the same as Martin was honored and rewarded.

The only Minnesota lobbyist representing our Territorial case was Henry M. Rice. He had been defeated for delegate by Sibley, but in January following joined him in Washington and worked unselfishly and with efficiency in aid of his efforts to obtain a seat. Mr. Rice remained in Washington, at his own expense and to the neglect of his business interests in the Northwest, during the greater part of the following winter.

When the Territorial bill was brought forward Rice labored constantly in its behalf. He was personally known to many members, and employed his acquaintance, to the best possible advantage in its favor. He was so well informed in Northwestern matters that he was taken into consultation in reference to the wording of the organic act and some of his suggestions as to boundaries were adopted. He and Sibley were almost constantly together, side by side in their important work, and it must have been a goodly sight to see these two men, then the foremost characters of the Northwest, who had been rivals in more than one particular and became opposed to each other again, striving like brethren of a household and comrades in arms to win a victory for their common home and their fellow pioneers.

Rice and Sibley were always Democrats in politics, but their Whig and Republican admirers and friends were legion. Mr. Rice in his latter days, recalling the old fight to organize the Territory, said, that his most strenuous efforts among the Congressmen were to convert Jacob Collamer, from his native State, Vermont, a Whig, and certain other Eastern members, Whigs and Democrats, to the Minnesota cause, but all his work was in vain; each voted to the last against the Territory. It was well that other Congressmen were not so obdurate to Mr. Rice's arguments and reasoning. Four more votes on the other side and the bill would have failed.

The area included within the Territory of Minnesota by the terms of the organic act was described at length. The easterly and southern boundaries were generally the same as at present, except that from the northwest corner of Iowa the southern line extended, "southerly along the western boundary of said State, to the point where said boundary strikes the Missouri River." The western boundary line ran from the last described point up the middle of the main channel of the Missouri to the mouth of the northern White Earth River (about sixty miles east of Fort Buford, on the western line of North Dakota) and thence up that river to the British boundary. The northern line ran from the point where the White Earth crosses the Canadian boundary eastward and south of east along the international boundary line to Lake Superior; "thence in a straight line to the northwestern point of the State of Wisconsin in Lake Superior;" thence along the western boundary of Wisconsin to the Mississippi and down the latter, as at present. Mr. Boyden's "pea patch" had expanded into a considerable field, of 150,000 square miles and 96,000,000 acres in extent.

Further provisions of the organic act provided that the Governor and Secretary should hold office for four years, during which term they should reside in the Territory. The first Legislature was to consist of nine members of the Council and eighteen members of the House. The number of Councilors and Representatives might be increased in subsequent Legislatures, but not to exceed fifteen Councilors and thirty-nine Representatives.

The suffrage qualification caused the greatest comment among Congressmen, and excited the hostility of the Native Americans. By the fifth section, every free white male inhabitant above the age of twenty-one years who should be a resident of the Territory at the time of the passage of the act was to be entitled to vote at the first election, and hold office under that election—no matter whether he was alien born and had never been naturalized or "declared his intentions." The qualifications of voters at subsequent elections were to be fixed by the Legislature, but the voters were to be citizens of the United States, or if alien born must have "declared intentions." Thus at the first election Canadians who were "inhabitants" on March 3, 1849, although they were clearly aliens and foreigners, were allowed to vote, and did vote. The idea was to make a large showing of voters and thus justify a claim for a considerable population.

The thirteenth section fixed the temporary Territorial capital at St. Paul, by prescribing that the Legislature shall hold, "its first session in St. Paul." The name of the little village in the possessive case—St. Paul's—had been contracted to St. Paul. It was first authoritatively so called in 1847 by Ira B. Brunson, when he laid out the first town site; but for some time afterward the people were wont to speak of and write it "St. Paul's." The act went on to say that, "at said first session the Government and Legislative Assembly shall locate and establish a temporary seat of government for said Territory at such place as they may deem eligible." The Legislature and the Governor were also authorized to prescribe the manner of locating the "permanent" capital by a vote of the people.

St. Paul had been named as the capital in the original draft of the organic act when it was originally prepared by Sibley, Brown, Rice, Holcombe, Lambert, and others, and it was given to Douglas to introduce in that form. Douglas re-drew the bill, following the main features, but condensing and changing the sentences to read correctly and smoothly; for the "Little Giant" had been a school teacher and was a master of the English language, and disliked ungrammatical and unrhetorical writing and spelling.

When a copy of the revised bill was sent to Sibley he noted that Mendota, the little hamlet at the mouth of the St. Peter's or Minnesota, where he lived, had been designated as the capital, when the majority of his constituents wanted it at St. Paul. Sibley at once called on Douglas and urged that his substitution be not made. Douglas kindly and promptly called the Senate Committee on Territories together to consider the matter. Sibley argued that the country west of the Mississippi, including Mendota, was yet Indian country and not open to settlement; that nearly all of the inhabitants of the proposed Territory lived east of the river, and that there was practically an unanimous wish to have the capital on that side; that St. Paul was one of the most prominent places in the Minnesota country, well located for the capital, a regularly platted town, whose site had been regularly entered and acquired, so that perfect title to real property could be had.

Senator Douglas said he had been at Mendota, not long before, and was so well pleased then with its geographical and topographical situation that he had fixed upon it as a good site for the future capital of the Territory and State soon to be created in this region. He argued that the greater part of the area of the Territory and ultimately of the population would be west of the Mississippi and the capital, at the confluence of two great rivers, ought to be on the west side of both. He thought the summit of Pilot Knob, the lofty hill still so prominent and striking in the landscape, would be a grand site for the State House. Sibley persisted and finally Douglas gave way to him and St. Paul was fixed in the bill as the capital.

Then some member of the Committee with "Know Nothing" tendencies objected not to the location but to the name of the proposed seat of government. He said that there were too many towns in the West and Northwest bearing the name of a Catholic saint—St. Louis, St. Charles, St. Mary, St. Joseph, etc., —and now it was proposed to have another called St. Paul. He thought Minnesota City would be a more suitable name. His trivial and stupid objections were quickly put aside and his bigotry rebuked.

Chapter XXXIII.

CONDITIONS IN MINNESOTA IN 1849.

FOR many days during the early spring of 1849 the pioneers of Minnesota were in great and painful suspense as to the fate of the bill before Congress for the organization of their Territory. They knew that it had been introduced, and that it had been fought against and fought for; when the 4th of March came they knew that Congress had adjourned and that the contest was over, but they did not know how it had ended. For weeks they had gazed toward the eastward, eagerly hoping to see upon the mountains the feet of one bringing glad tidings.

In the slow movements of the irregular mails of that time, especially during the winter season and the breaking up of the Mississippi in the early spring, it required five weeks for the news to reach St. Paul. Williams says that in this season the snow began to melt about March 1. Very soon the land trails were bare, the ice in the river soft, the dog-sledge trips to Prairie du Chien had to be abandoned, and the mail communication with the outside world was entirely suspended. Nothing could be done by the people of the Territory but to wait for the first steamboat up the Mississippi. Day after day the news reached St. Paul that the ice in Lake Pepin was firm and hard. The last mail had been received at St. Paul and Fort Snelling about March 1., and the news then brought was two months old.

At last came the second week in April and expectation and anxiety were strained to the utmost. Then came the first steamboat of the year with the joyful announcement that the Territorial bill had become a law. Let the incident be described by

one who witnessed it. In the first number of the *Minnesota Pioneer* the accomplished writer, David Lambert, who was a resident of St. Paul at the time, thus describes the reception of the good news:

The last has been the severest winter known in the Northwest for many years. During the past five months communication between this part of the country and the remainder of the United States has been difficult and unfrequent. A mail now and then from Prairie du Chien, brought up on a train drawn sometimes by horses and sometimes by dogs, contained news so old that the events described had been well nigh forgotten by those among whom they happened. When the milder weather commenced and the ice became unsafe and the trails bare we were completely shut out from all communication for several weeks. Sometime in January we learned that General Taylor was elected President.

Monday, April 9th, had been a pleasant day. Towards evening the clouds gathered and about dark commenced a violent storm of wind, rain, lightning and thunder. The darkness was only dissipated by the vivid lightning; the succeeding thunder fairly shook the earth. Suddenly during a lull in the storm, the coughing and grunting of an approaching steamboat from down the river was heard. The next instant the boat's shrill whistle thrilled through the air, like a great blast of triumph, and a bright lightning flash revealed the boat itself, just rounding the bluff, less than a mile below the St. Paul wharf.

In a few seconds, regardless of the tumult and perils of the storm, almost the entire male population of the town were running for the boat-landing. Very soon the fine steamer, Dr. Franklin, No. 2, dashed gallantly up to her wharf. But before she reached her moorings she was boarded by the excited throng. The news was soon learned and one glad shout which resounded through the boat, was taken up on shore, and echoed from our beetling bluffs and rolling hills above the roar of the storm, proclaimed that the bill for the organization of Minnesota Territory had become a law.

The good news went to Stillwater, St. Anthony and elsewhere the next day, and through the other settled portions of the Territory in due time. Everybody was glad. "Thank God, we live in the United States again," said "Mort" Wilkinson, when he heard the details at Stillwater. Everybody realized the epochal character of what had been done, and that the effects would be substantial, enduring and grandly beneficial.

TERRITORIAL SITUATION IN DETAIL.

It is pertinent to inquire as to the condition of Minnesota Territory at the time of its creation. In brief, as Neill and Williams say, the region was "little more than a wilderness." The country west of the Mississippi, from the Iowa line to Lake Itasca, had not been ceded by the Indians and was unoccupied by the whites save in a very few instances; that portion west of the river was but little better.

At the present site of the good little city of Wabasha there was a trading post in charge of that keen witted trader, the accomplished mixed-blood Ottawa, Alexis Bailly. Here also resided the old voyageur of four score years, Augustine Rocque, who had been in the country long before Napoleon sold it to Jefferson.

At the foot of Lake Pepin a certain F. S. Richards kept a small trading house. On the west shore of the upper end of the Lake lived and traded James Wells, the eccentric "Bully" Wells, whose wife was a Sioux mixed-blood, the daughter of an old trader, Duncan Graham, then dead. Wells had begun the erection of two stone houses on the beautiful west bank opposite the noted Maiden Rock, and these unfinished buildings and the surrounding skin lodges of the relatives of "Bully's" wife presented a picturesque and remarkable scene, even if a rude one.

Not far above Lake Pepin was a cluster of tepees, the Sioux village of Hkay-Minne-Chan (hill, water, wood) presided over by Chief Red Wing, or Hoopah-Dootah. Here also was a Presbyterian mission house, with Rev. John F. Aiton, his wife, and the devout if not fanatical zealot, John Bush, and his Indian spouse.

The next human settlement was at Kaposia, or the village of the Kaposia band of Medawakanton Sioux, whose chief was the Little Crow. Here was another Presbyterian missionary, Rev. Thomas S. Williamson, who was laboring with ill success to convert the Indians to Christianity and to keep the few professed white Christians in the vicinity from straying away too far from the straight and narrow path.

At Mendota and Fort Snelling were some employes of the traders and the garrison. The engagees were, for the most part, Canadian Frenchmen and mixed bloods, and many of them had families. At Mendota were also the families of Sibley and the Faribaults and at Snelling was the family of Franklin Steele. Then too, at Mendota was the chapel of St. Peter with Rev. Fr. Augustine Ravoux in charge of church and parish, and of the church at St. Paul as well.

On the east side of the Mississippi the first settlement was Point Douglas, then a small hamlet at the mouth of the St. Croix. One or two settlers were living on Gray Cloud Island. At the Red Rock, four miles below St. Paul, were a few adventurous settlers in the vicinity of the old Methodist mission houses.

Up the St. Croix were the immature settlements at Stillwater and Marine Mills, with Lemuel Bolles's pioneer mill on Bolles's creek. Out in the Cottage Grove neighborhood were James S. Norris and Joseph Haskell, the pioneer wheat raisers, and the first to completely demonstrate the agricultural possibilities of Minnesota, after Joseph R. Brown's tentative efforts. The military officers at Fort Snelling did not make their operations successful on the whole, and reported to their superiors that Minnesota was not adapted to wheat raising. A few other adventurous settlers were scattered elsewhere through what is now Washington County.

Neill, who was here in April of that year, says (page 494) that in 1849 when Minnesota became a Territory, St. Paul was "just emerging from a collection of Indian whisky shops and birch-bark roofed cabins of half-breed voyageurs." There were a few frame houses here and there. Henry M. Rice, who had acquired a share of John R. Irvine's 160 acres of the town site, was building some warehouses on the river bank, for steamboats and had his famous "American House" well under way. The population according to Neill (ibid) was "250 or 300 inhabitants," but Williams says (page 208) there were but "150 to 200 people in St. Paul" at the time. Editor Goodhue says that on April 23 when he arrived there were by actual count only

thirty dwelling houses in the place. At all events St. Paul was the largest town in this section and clearly the metropolis of the Territory, in a commercial sense.

At St. Anthony there was a hamlet which amounted to little more than a frontier settlement. There were five dwellings, "mostly cabins," one blacksmith shop and a carpenter shop. Franklin Steele was in the East pleading with hardfisted, distrustful and reluctant capitalists to advance the money for the development of the immense water power of the Falls.

At Sauk Rapids and Crow Wing were trading posts with the cabins of a few employes. Away up at Pembina was the largest town or settlement, with nearly a thousand people, a large majority of whom were "Metis" or mixed-bloods, French-Crees or French-Chippewas. Pembina was the largest town in the Territory, in respect to the number of inhabitants, without regard to race or condition.

It was a fact however that the east side of the Mississippi as far north as Crow Wing was fast filling up with settlers who had come to the country when it had been announced that the Territory was organized. The settlers were almost entirely from the Northern States and many were from New England. The fact that the State which should succeed the Territory would be a free state, without slavery in any form, made it certain that the first settlers would be non-slaveholders, with but few people from the Southern States interested in or in sympathy with the "peculiar institution."

There were four routes by which emigrants from the eastward and southward could reach Minnesota, viz: 1. By steamboat from St. Louis, distant 800 miles from Fort Snelling, or the mouth of the St. Peter's. 2. By land from Chicago to Galena to connect with the steamers from St. Louis. 3. From Milwaukee across Wisconsin by land. 4. From Chicago all the way by land, through Northern Illinois and Southwestern Wisconsin.

Westward of the Mississippi nearly all of the country was unexplored and virgin. There were wide expanses of wild and trackless prairie, never traversed by a white man, where are now

the highly developed counties of Southern and Southwestern Minnesota, with their fine and flourishing cities and towns and the other institutions that make for a State's eminence and greatness. Catlin had passed from Little Rock to the Pipestone Quarry; Nicollet and his surveying party had gone over the same route and had traveled along the Minnesota. Sibley and Fremont had chased elk over the prairies in what are now Steele, Dodge, Freeborn and Mower Counties; the Missouri cattle drovers had led their herds to Fort Snelling and up to the Red River region, but in all, not fifty white men had passed over the tract of country now comprising Southern and Southwestern Minnesota, when the Territory was organized in 1849.

The reason was easily understood. The country west of the Mississippi within the Territorial boundaries was, generally speaking, Sioux Indian country, and not open to white settlement. Any white man who located in the country without the consent of the Indians was a trespasser and liable to sudden and violent eviction and severe penalties besides. The four bands of the Minnesota Sioux were the admitted owners of trans-Mississippi Minnesota. These bands were the Sissetons, who claimed the western part of the country; the Wahpatons, who claimed a district eastward of that claimed by the Sissetons, and the Medawakantons and Wahpakootas, who claimed the rest of the country, eastward from the Blue Earth and south of the Minnesota. The only land owned by the Government west of the Mississippi was the military reservation about Fort Snelling, which had been ceded by the Sioux more than forty years before.

The improvements east of the Mississippi were unimportant, if not insignificant. There were comparatively few dwellings among the settlers that were not built of logs, and a majority of the buildings in St. Paul, the designated capital of the Territory, were of the character of the cabins. At Marine Mills, Stillwater, and St. Anthony, where there were saw-mills, frame houses were the rule, because sawed lumber was more plentiful and cheaper, and looked better, than logs. Nearly every dwelling house was of the simplest architecture, of small proportions, commonly only one story in height, and containing but few

rooms. A few hotels or "taverns," as they were called, were of two stories in height, but only a few of any of the buildings were painted.

There were in the entire Territory which extended from the St. Croix westward to the Missouri, but three or four churches, which included the meeting houses of the missionaries, and there were about the same number of school houses. Everything corresponded with former frontier conditions in other Western Territories, and was primitive and unfinished. The few roads were not good; the streams were unbridged; the towns were small villages; the stores and shops were simple affairs, each consisting generally of but one room.

Nearly everybody was poor, or at least in very modest circumstances. Henry M. Rice, at St. Paul, was estimated to be the possessor of about $40,000 in cash and convertible property, and he was easily the wealthiest man in the Territory. Next to him were Franklin Steele and Dr. Charles de Wolf Borup. A few lumbermen at Stillwater, one or two merchants at St. Paul, Delegate Sibley and Joseph R. Brown were worth perhaps $10,000 each in cash, if their holdings could have been sold at a fair valuation. It would have been difficult, however, to produce $10,000 in cash, at least in specie, no matter what might have been offered in exchange for it. There was not a bank in the Territory. Sibley, the traders, and Dr. Borup occasionally advanced money in small amounts upon good security or drew upon Eastern institutions and advanced the cash on them.

There was not a newspaper in the territory when it was created, although one came before it was organized. Communication with the outer world was irregular and at times very infrequent. From December to April, when the river was frozen and boats could not run, the settlements were often without mail for weeks at a time. There was but little mail sent or correspondence had at that day.

Chapter XXXIV.

FIRST TERRITORIAL OFFICERS.

AS has been noted there had been something of a contest in Congress between the Democrats and Whigs as to which President should have the appointment of the Territorial officers of Minnesota. Should it be the retiring President, James K. Polk, Democrat, or the incoming Chief Magistrate, General Zachary Taylor, Whig? The Democrats had hoped to secure the creation of the Territory while their President was in office so that the Territorial appointees would be of their party; but the Whigs succeeded in delaying the passage of the organic act until within two or three hours of the expiration of President Polk's term and there was not time to appoint Democrats. When Taylor and the Whigs came in, thirty-six hours later, the way was clear for their partisans.

"To the victors belong the spoils," had been the rule since Jackson's time. In good time, President Taylor appointed a full set of officers for Minnesota Territory, all of them being of the dominant party; only one of them was a resident of the Territory and a resident of the Northwest. Had Polk made the appointments of course all would have been Democrats, but it is probable that more Northwestern men would have received commissions. In all probability a Wisconsin man, Doty or Catlin, would have been commissioned Governor and Joseph R. Brown would have been Secretary of the new Territory.

General Taylor, counseled by his Whig friends, made, in due time, the following appointments:

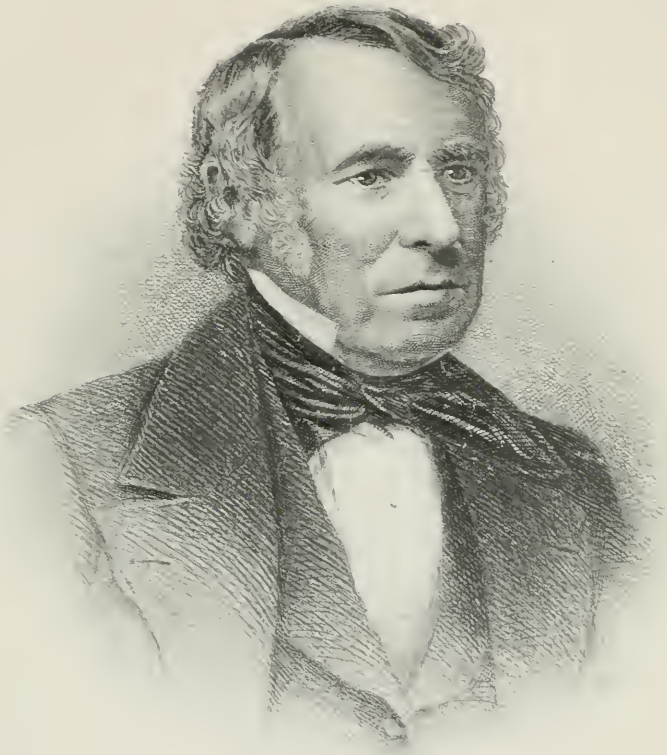
Governor, Alexander Ramsey, of Pennsylvania.
Secretary, Charles Kilgore Smith, of Ohio.

Chief Justice, Aaron Goodrich, of Tennessee.
District Attorney, Henry L. Moss, of Minnesota.
Marshall, Alexander M. Mitchell, of Ohio.
Associate Justices, David Cooper, of Pennsylvania and Bradley B. Meeker, of Kentucky.

In the light of his long and valuable subsequent services, it was fortunate indeed that Alexander Ramsey was appointed Governor of the new Territory. Governor Ramsey was born near Harrisburg, Pennsylvania, September 8, 1815. His paternal ancestors were Scotch and the family of his mother, whose maiden name was Kelker, was of German descent and good Pennsylvania Dutch stock. His education was completed at Lafayette College, Easton, Pennsylvania, and he was admitted to the bar in 1839. He was an active Whig politician from early life. In 1840 he made speeches for Harrison and the next winter was elected chief clerk of the lower house of the Pennsylvania Legislature. He was elected to Congress in 1843 and re-elected in 1844. His district was largely composed of Pennsylvania Dutch farmers, and he often attributed his election to Congress largely to the fact that he canvassed the district thoroughly and addressed his audiences in their own vernacular, the Pennsylvania Dutch dialect, which he spoke fluently. In the Presidential campaign of 1848 he was made chairman of the Whig State central committee and received the credit of having contributed largely to the Whig victory by which Pennsylvania was carried for Taylor and Fillmore. His commission as Governor was dated April 2, 1849, and he was not thirty-four years of age.

Charles K. Smith, Territorial Secretary, was born at Cincinnati, Ohio, February 15, 1799. He, too, was a Whig politician, and a prominent Free Mason and Odd Fellow.

Aaron Goodrich, the Chief Justice, was a native of New York, but appointed from Tennessee, where he had passed the greater part of his life. He was elected as a Whig from a Democratic district to the Thirtieth Congress, serving in 1847 and 1848. In 1848 he was a Presidential elector chosen on the Whig ticket, and when Taylor and Fillmore carried Tennessee he voted for them in the electoral college.



Zachary Taylor

Colonel Alexander M. Mitchell, the permanent Marshal of the Territory, was also appointed from Ohio. The position had been offered to Joshua L. Taylor, who wanted to be rewarded for party services; but this gentleman had a larger ambition and declined the appointment. Colonel Mitchell was a native of North Carolina, and had graduated from West Point in 1835. He served with credit in the Florida War, and subsequently was for some time in the Engineer Corps. Resigning from the army, he studied law, was admitted to the bar and located in the practice at Cincinnati. When the Mexican War broke out he was commissioned Colonel of the First Ohio Volunteers and his career during the war was most honorable. At Monterey he was severely wounded and for his services in this battle and elsewhere he was warmly commended. On his return to Cincinnati the citizens gave him a fine sword and a sumptuous dinner. President Taylor knew him and would have given him a better appointment than that of Marshal of Minnesota, but for the Colonel's intemperate habits. He resigned the Marshal's office in September, 1851. He died in St. Joseph, Missouri, February 26, 1861, at the age of fifty-two. A highly eulogistic obituary in a St. Joseph paper said of him: "His last years were clouded by the vice of intemperance."

Henry L. Moss, District Attorney, and the only resident of the Territory to receive an appointment, was born in Oneida County, New York, March 23, 1819. He was admitted to the bar in Ohio, and removed to Plattville, Wisconsin, in 1845, and to Stillwater in April, 1848. Two years after his appointment he removed to St. Paul, where he resided until his death, which occurred at Lake Minnetonka, July 20, 1902.

David Cooper, one of the Associate Justices of the Territory, was a native of Maryland, born in 1821, but was reared at Gettysburg, Pennsylvania. He was admitted to the bar in 1845. He was of remarkable precocity and was a "boy orator" at eighteen. In 1848 he canvassed a portion of his State for the Whigs and his political friends in high quarters saw to it that his services were rewarded. At the time of his appointment to the Territorial Judgeship he was but twenty-eight years of age.

He was a man of learning and natural ability, but of somewhat eccentric disposition, infirmities of temper, and unfortunate habits. He died while a patient in an inebriate asylum at Salt Lake City, near the close of the Civil War.

Bradley B. Meeker, the other Associate Justice, was born at Fairfield, Connecticut, in 1813, and was a graduate of Yale. He studied law at Richmond, Kentucky, and was admitted to the bar in 1838. He was an intimate friend of John J. Crittenden and John Bell, through whose influence he received the Minnesota Judgeship. After the death of the Whig Party he became a Democrat and served in the Democratic wing of the Constitutional Convention of 1857. Upon leaving the Territorial bench in 1853, Judge Meeker engaged in real estate transactions in the Northwest, but was only fairly successful. He died suddenly at Milwaukee, in 1873.

All of the Minnesota appointments were confirmed by the Senate without objection. President Taylor was somewhat familiar with Minnesota in former days. Twenty years previously he had been in command of Fort Snelling from May, 1828, to July, 1829, and for some years he was the commandant of Fort Crawford, at Prairie du Chien. Conditions had changed, however, not only for him but for the Minnesota country. From Lieutenant Colonel to President and commander in chief of the army and navy, was a remarkable promotion, and from a wilderness to civilization was a great transformation. The President was not personally acquainted with any of his Minnesota appointees; he took the word of those who had elected him for their fitness. A similar practice was followed by his predecessors, and has been pursued by his successors for so long a period as to become a fixture in national polity, although it is a custom which might often be more honored in the breach than in the observance.

The Territorial officials were nearly all young men. Secretary Smith was the oldest—fifty. Governor Ramsey was thirty-four; Judge Goodrich, forty-two; Judge Meeker, thirty-six; Judge Cooper, twenty-eight; Marshall Mitchel, thirty-six; District Attorney Moss, thirty. If there was an advantage in having young blood in charge of her affairs, Minnesota possessed it.

STARTING THE TERRITORIAL MACHINERY.

All of the appointees reached the scene of their duties in proper course. The Governor came to St. Paul May 27, bringing with him his accomplished and amiable wife. By cordial invitation they became the guests of Mr. and Mrs. Sibley, in the historic old mansion at Mendota, for some weeks, until comfortable quarters could be secured in the Territorial Capital. The first Governor's mansion was a small but neat frame cottage on West Third street, (which afterward became the New England House) and the date of its first occupancy was June 25, 1849.

Secretary Smith came July 5, and the Marshal, Colonel Mitchell, reached St. Paul early in August.

June 1, Governor Ramsey, Judges Goodrich and Cooper, and District Attorney Moss prepared a document that came to be celebrated as the "First of June Proclamation." The paper was written on a wash-stand in a small room in a modest frontier hotel, at the corner of Third and Jackson streets. The legend of the event is that there was but one chair in the room on which the writer of the proclamation, Judge Cooper, sat, while the Governor and Judge Goodrich reclined on the bed and the District Attorney mounted a trunk.

The proclamation announced the passage of the organic act, the appointment of the Territorial officers and announced: "Said Territorial Government is declared to be organized and established, and all persons are enjoined to obey, conform to, and respect the laws thereof accordingly."

June 11 the Governor issued another proclamation dividing the Territory into three judicial districts. The county of St. Croix—then the only county in the Territory, and owing to its existence to the old Territory of Wisconsin—was made to constitute the First District, with Chief Justice Goodrich as Judge, and courts to be held in Stillwater on the following second Monday in August and second Monday in February.

The boundaries of the Second District could not be given by political divisions since there were none, but Associate Justice Meeker was appointed the Judge and ordered to hold court "at the Falls of St. Anthony" on the third Monday in August and February following. The Third District, too, was without specified boundaries,[1] but Justice Cooper was appointed Judge and court was to be held at Mendota on the fourth Monday in August and February following. By the organic act the three Judges or two of them sitting together—or "en bane"—constituted the Supreme Court.

THE FIRST CENSUS.

Pursuant to a provision in the Organic Act, the Governor ordered John Morgan, then sheriff of St. Croix County, to take an accurate enumeration of all the inhabitants (Indians excepted) within the Territory on the 11th of June, the date of the order. The census was to include mixed blood people living in civilization, and to exclude those in barbarism. The sheriff and his deputies worked hard and traveled far. In some instances news that they were coming had preceded them and when they reached the settlements they found some enterprising citizen with an alleged list of the inhabitants already prepared and all they had to do was to verify it. Although they were conscientious men, as became their positions, the enumerators were desirous of "booming" the Territory and their verifications by no means underestimated the population. The census gave the following results:

POPULATION OF MINNESOTA IN 1849.

Names of Places and Localities.	Males.	Females.	Total.
Stillwater	455	154	609
Lake St. Croix	129	82	211

[1]Subsequently the boundaries of the districts were fixed and somewhat indefinitely declared as follows: The first district comprised the County of St. Croix. The second district comprised that portion of the County of La Pointe within the Territory, the country north and west of the Mississsippi and north of the Minnesota and of a line running due west from the headwaters of the Minnesota to the Missouri. The third district, Judge Cooper's, was formed south of the Minnesota.

JAMES M. GOODHUE

Names of Places and Localities.	Males.	Females.	Total.
Marine Mills	142	31	173
St. Paul	540	300	840
Little Canada and St. Anthony	352	219	571
Crow Wing and Long Prairie	235	115	350
Osakis Rapids	92	41	133
Falls of St. Croix	15	1	16
Snake River	58	24	82
La Pointe County	12	10	22
Crow Wing	103	71	174
Crow Wing—East Side	35	35	70
Big Stone Lake and Lac qui Parle	33	35	68
Little Rock	20	15	35
Prairieville	9	13	22
Oak Grove	14	9	23
Black Dog's Village	7	11	18
Mendota	72	50	122
Red Wing's Village	20	13	33
Wabasha and Root River	78	36	114
Pembina	295	342	637
Missouri River	49	37	86
Fort Snelling	26	12	38
Soldiers, women and children in forts	267	50	317
	3,058	1,706	4,764

THE FIRST NEWSPAPER.

Among the many young men of intelligence and enterprise throughout the country whose attention had been directed to Minnesota, by the passage of the organization act and the Congressional debates upon it, was James Madison Goodhue, of Lancaster, Wisconsin. He was a native of New Hampshire, born in 1810, a graduate of Amherst College, who had been bred and admitted to the bar, but had abandoned that profession to become a newspaper man. In the winter and early spring of 1849 he was located at Lancaster, Grant County, Wisconsin, where he had been editor and proprietor of the *Wisconsin Herald,* a small four page weekly newspaper, Democratic in politics, spirited and aggressive in everything. The paper had been founded in 1843, and originally called the *Grant County Herald.* For

some years it was printed on the press and type of the old Dubuque, Iowa, *Visitor,* the first paper in that State, but in 1848 a new press had been secured.

Goodhue had been quite successful financially in his publication of the *Herald.* One account says that he "commenced without a dollar and amassed a fair fortune within the few years of his editorial career." But he was ambitious and enterprising. He determined to have the first newspaper within the boundaries of Minnesota, to become the official printer in the Territory, to advance his reputation and his fortunes generally. He wrote his design to Henry Jackson, to Sibley and Brown, and they urged him to come, assuring him of encouragement and support.

When Mr. Goodhue learned that Minnesota had received her Territorial charter from Congress, he soon sold the *Wisconsin Herald* (the purchaser being one J. L. Marsh) and set about removing to the new land of promise. Early in April, taking the then unused old press[1] which had printed the first number of the *Iowa Visitor,* and some of the old type and other material of the *Wisconsin Herald*—including sundry columns of advertisements in type—he set out for St. Paul. He took with him his wife and household effects and also his printers. The journey was made by wagon from Lancaster to Cassville, where the outfit embarked on the steamboat Senator for Minnesota. St. Paul was reached April 18. Of his arrival in St. Paul and the issue of his first paper, Mr. Goodhue, in an article published a year later, wrote:

> The 18th of April, 1849 was a raw, cloudy day. The steamboat Senator, Captain (Orren Smith, landed with us and our outfit at Randall's warehouse (the lower landing) and this was the only building there except Robert's old store. Of the people on shore we recognized but one person as an acquaintance—Henry Jackson. C. P. V. Lull and his partner Gilbert furnished us gratuitously the lower story of their building (a carpenter's shop) for an office; it was the only vacant room in town. The weather was cold and stormy and the office was as open as a corncrib. However, we picked up our types and made ready for the is-

[1]The History of Grant County, Wisconsin, says: "To this old press quite a history is attached. It was originally purchased of the Dubuque "Visitor," the first paper published in Iowa * * * then served to print the first paper in the Territory of Minnesota."

sue of the first paper ever printed in Minnesota, or within some hundred miles of it. * * * We determined to call our paper the "Minnesota Pioneer."[1] One hindrance after another delayed a first issue to the 28th of April. We had no subscribers, for there were but a handful of people in the whole Territory, and the majority of those were Canadians and half-breeds.

There are at least three copies of the original issue of the *Minnesota Pioneer* extant. One copy, together with the historic, primitive old press, is in the custody of the State Historical Society. Another is owned by A. L. Larpenteur of St. Paul, and the third is in the files of the *Pioneer Press.*

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[1]Goodhue had intended naming his paper "The Epistle of St. Paul," as a taking title, but his friends induced him to believe that the name was flippantly irreverent and altogether inappropriate.

Chapter XXXV.

FIRST TERRITORIAL LEGISLATURE.

THE organic act provided that the Territorial Legislature—called the Territorial Assembly—should be composed of two branches, a Council and a House of Representatives, the former to serve two years, the latter one year. The Governor was to divide the Territory into Legislative districts and fix the time of holding the first election for members of the Legislature. The qualifications of the members were to be those of voters and they were to be actual residents of their respective districts.

On July 7 the Governor issued a proclamation dividing the Territory into seven Council districts and ordering an election, to be held August 1, to choose a delegate to Congress, nine Councilors and eighteen Representatives to constitute the first Legislative Assembly. The election passed off with but little excitement, or even interest. H. H. Sibley was re-elected delgate to Congress without opposition. The members of the Legislature were chosen without regard to their politics and the contests were only personal. In St. Paul James McC. Boal, a good house and sign painter and of some pretensions as a scenic artist, who left the army at Fort Snelling and came to St. Paul in 1846, was elected Councilor over the gifted David Lambert, by a vote of 98 to 91. His partisans were so elated over his victory that they hauled him about the streets in a chariot improvised from an oxcart, amid great cheering and enthusiasm.

Joseph R. Brown was nominated by some admiring friends, but requested the people to vote against him and he was defeated by Parsons K. Johnson.[1]

The whole number of votes cast for delegate in the Territory was 682.

At the time of the election additional and revised census returns had increased the whole population to exactly 5,000—males, 3,253; females, 1,747. The following exhibits the result of the corrected census and of the vote for delegate to Congress, arranged under the counties into which the first Legislature subsequently divided the Territory.

Counties.	County Seats.	Males.	Females.	Vote for Delegate.
Ramsey,	St. Paul	976	564	273
Washington,	Stillwater	821	291	213
Benton,	Sauk Rapids	249	108	18
Dahkotah,	Mendota	301	167	75
Wabashaw,	Wabashaw	246	84	33
Pembina,	Pembina	295	342	....
Wahnatah,	————	344	182	70
Itasca,	————	21	9	....
Mahkahto,	————	....	....	....
Totals		3,253	1,747	682

On Monday, September 3, the first Legislative Assembly convened in the Central House at St. Paul. The building served the double purpose of state house and hotel. On the first floor of the main building was the secretary's office and the Representative Chamber comprised the dining room. As dinner or supper time approached the House had to adjourn to give the servants an opportunity to lay the cloth and arrange for serving the meal. In the second story, in one of the bed rooms, was a collection of books called by courtesy "the library," and in the ladies' parlor the nine members of the Council convened and held their deliberations. The Governor's office was in his residence.

[1]My candidacy was not of my own action or desire. While I was in the country, the Doctor [Borup] and others brought me out. Your know I do not want it and if elected I can not serve. Forbes is sufficient.—Brown to Sibley, July 20, 1849; Sibley Papers 1840-50.

The Central House was constructed of logs and was an unusually large one of its class. It was weatherboarded and the exterior resembled that of a frame house. After the First Legislature adjourned the building was more than doubled in size. The site of the building was on Bench street, almost immediately overlooking the river, and the proprietor and landlord of the hotel in 1849 was Robert Kennedy, a well known pioneer. To give notice to the world that his hostelry was a building of some importance, and, as he expressed himself, "to let people know that there is something going on here," Mr. Kennedy erected a tall cedar pole on the bank of the river near the hotel, and while the Legislature was in session kept the Stars and Stripes flying from the top mast.

The members of the Legislature were the following noted pioneers:

COUNCIL.

Councilors.	Residence.	Age.	Where Born.
James S. Norris	Cottage Grove	38	Maine.
Samuel Burkleo	Stillwater	49	Delaware.
Wm. H. Forbes	St. Paul	38	Canada.
James McC. Boal	St. Paul	38	Pennsylvania.
David B. Loomis	Marine Mills	32	Connecticut.
John Rollins	St. Anthony	41	Maine.
David Olmsted	Long Prairie	27	Vermont.
William R. Sturges	Elk River	28	Canada.
Martin McLeod	Lac qui Parle	36	Canada.

HOUSE OF REPRESENTATIVES.

Representatives.	Residence.	Age	Where Born.
Joseph W. Furber	Cottage Grove	36	New Hampshire.
James Wells	Lake Pepin	46	New Jersey.
M. S. Wilkinson	Stillwater	30	New York.
Sylvanus Trask	Stillwater	38	New York.
Mahlon Black	Stillwater	29	Ohio.
Benjamin W. Brunson	St. Paul	45	Michigan.
Henry Jackson	St. Paul	42	Virginia.
John J. Dewey	St. Paul	..	New York.
Parsons K. Johnson	St. Paul	33	Vermont.
Henry N. Setzer	Snake River	24	Missouri.
William R. Marshall	St. Anthony	25	Missouri.

Representatives.	Residence,	Age.	Where Born.
William Dugas	Little Canada	37	Canada.
Jeremiah Russell	Crow Wing	40	New York.
Lorenzo A. Babcock	Sauk Rapids	29	Vermont.
Thomas A. Holmes	Sauk Rapids	44	Pennsylvania.
Allan Morrison	Crow Wing	46	Canada.
Alexis Bailly	Mendota	50	Michigan.
Gideon H. Pond	Oak Grove	39	Connecticut.

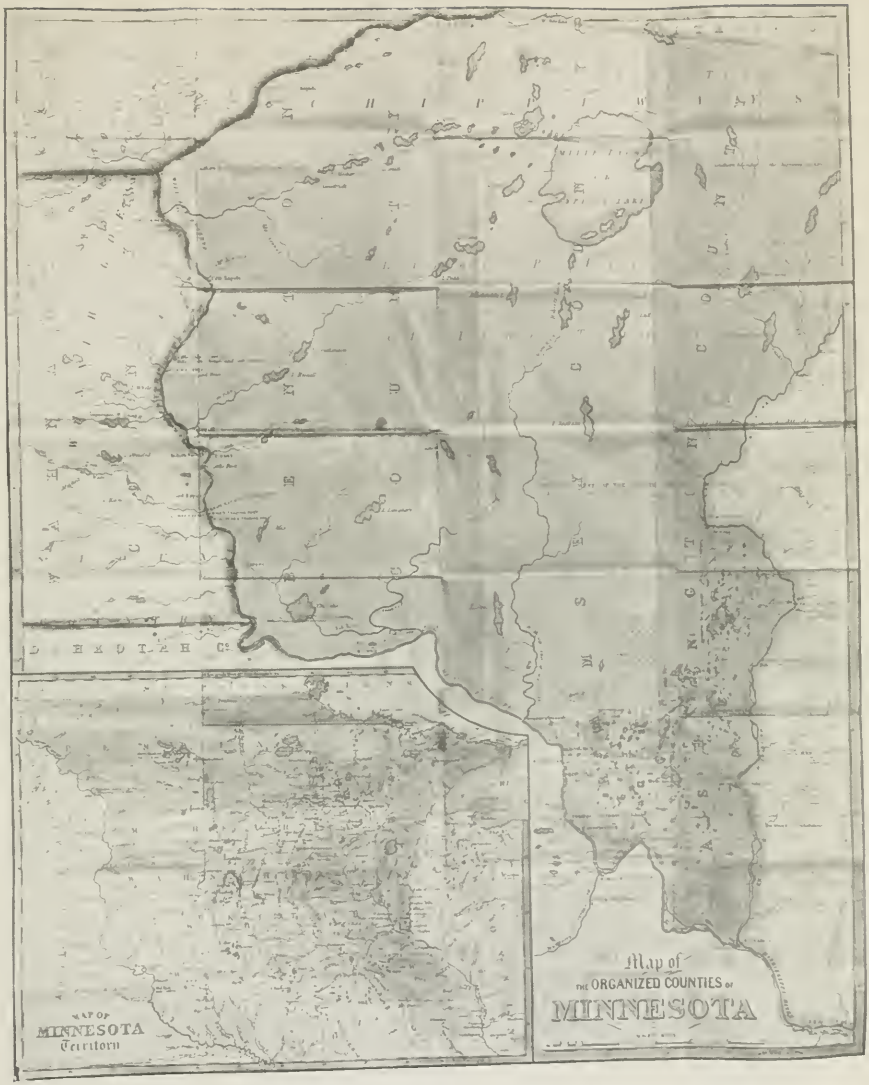
Councilor William R. Sturges, of the Sixth District, was elected by his constituents to both the Council and the House, and his election was so certified and proclaimed by the Governor. He resigned the office of Representative and at a special election Allan Morrison was chosen in his stead.

The seat of "Bully" James Wells, of Lake Pepin, was contested by Harley D. White. At the election Wells received thirty-three votes and White twenty-nine; but White declared that six of his opponent's votes were illegal, in that the voters were not legal residents of the Territory. A resolution declaring Wells not entitled to his seat was lost by a tie vote. This vote was largely partisan, all of the Whigs supporting White and the Democrats generally voting to keep Wells in his seat. The testimony as to the eligibility of the challenged voters was very conflicting.

The Legislature was organized without regard to partisan politics. David Olmsted, Joseph R. Brown, and Henry A. Lambert, Democrats, were respectively chosen president, secretary, and assistant secretary of the Council, while B. L. Sellers, the sergeant at arms, and the other employes, were Whigs. The House was composed largely of Democrats, but Joseph W. Furber, the staunch Whig of Washington County, was elected Speaker, William D. Phillips, Democrat, clerk, and L. B. Wait, Whig, assistant clerk. Reverend W. T. Boutwell was elected chaplain for both houses.

The Legislature adjourned November 1. The most important acts passed during the session, and approved by the Governor, related chiefly to the organization of the civil machinery of the new Territory.

The Territory was divided into the counties of Washington, Ramsey, Benton, Itasca, Wabashaw, Dakotah, Wahnahta, Mah-



MAP OF MINNESOTA—1850.

kahto and Pembina. The bill on the subject, introduced by Councilman Samuel Burkleo, originally provided that the counties be named, "St. Croix, St. Paul, Elk, La Pointe, Mankato, Dakotah, Prairie, and Katokoning," but the Legislature changed the names to the first list.

The boundaries of Washington County were the Territorial boundary on the east, the Mississippi on the south, a line running north from a mile east of the western part of Gray Cloud Island to Itasca County, for its western, and a part of the southern line of Itasca County for its northern boundary.

Ramsey County was bounded by Washington County on the east, the Mississippi on the south, a line running from a point on the Mississippi, six miles above the mouth of Rum River, to the southern boundary of Itasca County on the west, and the southern boundary of Itasca on the north.

Benton County was between Ramsey County on the east and the Mississippi on the west and north.

Itasca County comprised what is now the greater part of the northerneastern portion of the State.

Pembina comprised generally what is now nearly all of the northern part of Minnesota, and practically all of North Dakota, east of the Missouri River.

Mahkahto was a strip of territory extending south from the 47th parallel (which was the southern boundary of Pembina) about fifty miles, and running westward from the Mississippi to the Missouri.

Wahnahta lay south of Mahkahto, was about sixty-five miles north and south, and extended westward from the Mississippi to the Missouri.

Dahkotah was a strip perhaps fifty miles wide, lying south of Wahnahta, and extending westward from the Mississippi to the Missouri. Fort Snelling and Mendota were in the extreme eastern portion of Dahkotah County.

Wabasha County comprised the remainder of the eastern and western portion of the Territory. Its northern boundary was the parallel running through the mouth of the Yellow Medicine River; its southern was the Iowa line; its eastern the Mis-

sissippi, and its western the Missouri, and it also included the big peninsula between the Missouri and the Big Sioux River, and comprising all of what is at preesnt Southeastern South Dakota.

Only the counties of Washington, Ramsey and Benton were organized for some time after the First Legislature adjourned. With the exception of the settlements at Pembina and Mendota, few white people lived in the other counties, and the Indian title to the land embraced in them had not been extinguished. The Governor was empowered to appoint justices of the peace and constables in them, however, but these officers were to serve as "Conservators of the Peace;" it was claimed that they did not have civil jurisdiction.

The counties of Wahnahta and Wabasha were named for noted Sioux Chiefs; Mahkahto was called for the Blue Earth River, the Sioux name for blue earth being Mahkahto, and Dahkotah was named for the title which the Sioux themselves bestowed on their great red nation. All of the names almost correctly represented their Indian pronunciation. The name of Wabashaw should have been spelled Wah-pah-hah-sha, (red war flag) but Wah-nah-ta (the charger, or one who charges upon his enemies) was the correct spelling according to the pronunciation of the name of the famous old Sisseton Chief.

The first Monday in September of each year was the day appointed for general elections. On this occasion there were to be chosen in each organized county, three county commissioners, three county assessors, a sheriff, register of deeds, treasurer, judge of probate, and coroner, for county purposes, and two justices of the peace, and two constables for each election precinct. The members of the Legislature were to be elected from Council districts established by the Governor.

All citizens of the United States, who were free, white male inhabitants—or all males over twenty-one years of age of mixed white and Indian blood—who had resided in the Territory for six months preceding an election, were entitled to vote for delegate to Congress and for Territorial and county offices.

Every township containing not less than five families was to be considered a school district. At the general election there were to be elected three school trustees, who were to examine and employ teachers, examine schools, etc. A majority of half of the voters might vote a tax on the people of the township not to exceed $600 a year. Also for the benefit of the schools, the county commissioners might lay an annual tax of one-fourth of one percent on the advalorem amount of the assessment roll and distribute the proceeds among the several school districts in proportion to the number of scholars in each district.

The three township trustees, who were to conduct the school affairs of each district in their respective townships, were to be the judges of the qualifications of the teachers to be employed. There was no county superintendent or special examining board. No complaint was ever made that the teachers serving under this system were incompetent or inefficient.

Of the personnel of the First Legislature, it may be said that the members were, in intelligence and ability, above the average of pioneer legislators. The nine members of the Council were somewhat conspicuous among their fellow citizens. James S. Norris, Samuel Burkleo, W. H. Forbes, David B. Loomis, David Olmsted, and Martin McLeod would have been worthy members of any deliberative body ever assembled in the State.

Of the members of the House of Representatives Morton S. Wilkinson became United States Senator, and William R. Marshall became a brevet brigadier general in the United States service and Governor of the State, and Lorenzo A. Babcock became United States District Attorney. Among the other members Reverend Gideon H. Pond had been a zealous and faithful missionary among the Sioux for fifteen years. Henry Jackson was the first merchant in St. Paul and Dr. J. J. Dewey the first physician in the town and the first druggist in Minnesota. Alexis Bailly was of mixed French and Indian blood but was one of the most intelligent and accomplished men in the Northwest in his time. He was well educated and his literary and other attainments were very superior. William Dugas and James Wells

were somewhat illiterate, but made up for their deficiencies in this respect by their hard common sense and honesty of purpose.

Neither Sibley, Rice, Steele, Brown, or Holcombe was a member of the Legislature but doubtless their influence was over its deliberations. Brown was made secretary of the Council because of his knowledge of parliamentary law, gained by his experience in the Wisconsin Territorial Legislature and his thorough study of Jefferson's Manual. He was frequently consulted by President Olmsted and Speaker Furber and the other members. The proceedings throughout had been conducted decently and in order. Although the members were frontiersmen they were not backwoodsmen in the particulars of rude and uncouth manners, illiteracy, and lack of refinement, nor were they eccentric. James Wells and William Dugas, as has been stated, were not scholars, but they were well informed in other respects, Wells had been a soldier at Fort Snelling before he became a trader at Lake Pepin, and the Speaker assigned him to the Committee on Military Affairs. Dugas was a millwright by trade, but lived on a farm at Little Canada, and was placed on the Committee on Territorial Roads. Both Wells and Dugas were fully the peers in intelligence and refinement of many members of subsequent Legislatures, even in recent times.

Samuel Burkleo was born in Kent County, Delaware, March 31, 1800. He came to the St. Croix Valley in 1839, and was one of the original proprietors of the Marine Lumber Company. Subsequently he removed to Stillwater and engaged in merchandising, but in 1858 removed to a farm in Lakeland town, where he died in 1864. He was prominent in the early public affairs of Minnesota and always a useful and respected citizen.

James McClelland Boal—called "Jimmy McBoal" by the old settlers, which version of his name has been miscalled and perpetuated by naming a St. Paul street for him, and in other ways—was a Pennsylvanian by birth. In his youth he enlisted as a drummer and came to Fort Snelling with the first detachment of troops under Leavenworth. He and Joseph R. Brown were musicians and bunkmates at Snelling, Brown being a fifer for some time. Boal was a painter by occupation after he left

the army, but in 1851 became a trader in St. Paul. He was a charter member of the Republican party of Minnesota, and Governor Ramsey appointed him Adjutant General of the Territory in 1849 and he served until 1853. In 1852 he was elected to the Legislature from Dakota County. He died in Mendota in 1862.

William Henry Forbes was born on Montreal Island, Canada, and died while Indian agent at the Devil's Lake Agency, July 20, 1875. He came to Minnesota in 1837 and engaged as clerk for Sibley at the factory of the American Fur Company at Mendota. In 1847 he took charge of the Company's interests at St. Paul, controlling what was called the St. Paul "outfit," and his legal residence was here ever after. He was four times a member of the Territorial Council, and in 1852 was its president. In 1853 he engaged in the Indian trade, in partnership with Kittson, and so continued until their business was broken up by the Sioux outbreak of 1862. He served in several important official positions during the Indian wars of 1862-63-64, and in the latter was commissioned a commissary and sent to Missouri, and retired in 1866 with the rank of brevet major. He was postmaster of St. Paul from 1853 to 1857 and county auditor of Ramsey County in 1863 and 1864. In 1871 he was appointed Indian Agent at Devil's Lake, where he died four years later. Major Forbes was a strong character. He was a good scholar, intelligent and capable, a good business man and of sterling integrity. He was a devout Roman Catholic and was buried in Calvary Cemetery, at St. Paul. He was a high authority in Indian matters, spoke Sioux, Chippewa, and French as fluently as English, and his first wife was Agnes Faribault, a half-blood Sioux, the daughter of Alexander Faribault, and a most accomplished and worthy lady, whom he married in 1846 and who died in 1853.

John Rollins, was a native of Maine, born at New Sharon, March 23, 1806, and died at Minneapolis May 7, 1883. He was one of the earliest pioneers of St. Anthony, where he located in 1848. He was engaged in lumbering, built and operated a steam boat above the Falls, and was identified with the early lumbering interests of Minneapolis generally.

The other members of the First Territorial Council have been briefly mentioned elsewhere. Of the members of the first House of Representatives not mentioned on other pages, Benjamin W. Brunson was born in Detroit in 1823. He was a son of Rev. Alfred S. Brunson, the pioneer Methodist missionary, and was reared principally at Prairie du Chien. He came to Minnesota in 1847 as a surveyor and laid out the original town of St. Paul. Subsequently he laid out other prominent and flourishing Minnesota towns. During the Civil War he served as a lieutenant in the Eighth Minnesota. He died at St. Paul in May, 1898.

Parsons K. Johnson was born at Brandon, Vermont, May 8, 1816. His mother was a granddaughter of Jonathan Carver. He was a schoolmate of Stephen A. Douglas. In July, 1847; he located in St. Paul as a tailor and was ever after a resident of Minnesota. He married a sister of the wife of Henry Jackson, and in 1852 removed with his brother-in-law to Mankato, of which city Jackson and Johnson were among the first settlers and founders. Johnson was afterwards postmaster and elected to the Territorial Legislature of 1855. He was in 1907 living at Brainerd, and in the Legislature of that year was an invited guest and received with great respect and even homage and enthusiasm. His death occurred the following year.

John J. Dewey, was a native of New York, a brother of Nelson Dewey, (who was at one time a Governor of Wisconsin), and a graduate of the Albany Medical College. He came to St. Paul in 1847, was the first practicing physician in the place, and established the first drug store in what is now Minnesota. He died at St. Paul April 1, 1891.

William Dugas (pronounced Dugaw) was a French Canadian, who came to St. Paul in 1844. He was a mill-wright and in 1845 erected the first saw mill in St. Paul. The mill was driven by water power, stood on Phalen Creek, and was designed for a grist mill as well as a saw mill, when the day of grain growing in the vicinity of St. Paul should come. The buhrs were never put in, but the sawing department was operated a short time. There was great difficulty in obtaining logs suitable for sawing, and such a small demand for lumber, with no money

in the pockets of the people to pay for it, that Dugas became discouraged, and eighteen months after he had completed his mill he sold it and removed to Little Canada and became a farmer. Little Canada and St. Anthony constituted the fifth council district and Mr. Dugas's colleague in the legislature was William R. Marshall, afterwards Governor. In 1853 Dugas removed to the Crow River Valley, where he afterwards lived for many years, or until his death.

Thomas A. Holmes, was born at Bergerstown, Pennsylvania, March 4, 1804, but was reared to manhood in Ohio. In 1835 he built the second house and became the second permanent settler on the town site of Milwaukee—Solomon Juneau being the first. In 1838 he made the first claim and the first settlement at Janesville and was virtually the founder of that city. In 1839 he sold his interest in the town for $10,000 and came farther northwest. In the winter of 1849 he located at Sauk Rapids and a few months later was elected to the Territorial Legislature. In 1851 he became the first settler at Shakopee, and in 1852, even before the Indian title to the site was fully extinguished, he laid out and named the town. He also surveyed, located, and named the town of Chaska.

Sylvanus Trask, one of the representatives from the Stillwater district, was born in Otsego County, New York, in 1811. He was a school teacher by profession. He came to Stillwater and Minnesota in 1848. Later in life he was for many years a surveyor and scaler of logs and lumber. He died at Stillwater, in April, 1897.

Lorenzo A. Babcock, was born in Sheldon, Vermont. He came to Minnesota from Maquoketa, Iowa, in June, 1848, and located at Sauk Rapids, from which district he was elected to the Legislature. Subsequently he was appointed by Governor Ramsey Territorial Attorney General, and held the position for four years. He was secretary of the Republican wing of the Constitutional Convention of 1857.

As elsewhere noted, Henry Jackson was born in Abingdon, Virginia, February 1, 1811. He served in the Patriot War in Texas in 1836-37; married Angelina Bivins at Buffalo, New

York in 1838, and came to Galena in 1840. In 1842 he came to Minnesota and was the first merchant at St. Paul.

Mahlon Black, a grandson of a gallant American naval officer in the War of the Revolution, was a native of Hamilton County, Ohio, and born October 4, 1820. In 1842 he engaged in lumbering at Menomonie Mills, Wisconsin, and in 1847 located at Stillwater. He was a member of the first, third and last Territorial Legislatures. Mayor of Stillwater in 1860-61, etc. During the Civil War he served with the rank of captain in the Army of the Potomac, was in fifty-one battles and skirmishes, and four times wounded. In 1867 he removed to Minneapolis, where he died October 25, 1901.

Jeremiah Russell was born in Madison County, New York, February 2, 1809. He came to Fort Snelling in 1837, and was engaged as clerk and Indian trader in the Minnesota country for ten years. In 1848 took charge of Borup & Oakes's trading house at Crow Wing, and in the fall of 1849 located at Sauk Rapids and opened the first farm in that section of the Territory. He was one of the original proprietors of Sauk Rapids, and established the pioneer newspaper, the Sauk Rapids *Frontiersman*. He died June 13, 1885.

Allan Morrison was a native of Canada and a brother of William Morrison, the early explorer of Minnesota, and one of the first white men to visit Lake Itasca. Allan Morrison located as a trader in Northeastern Minnesota in 1821, and for more than thirty years was engaged in the Indian trade successively at Sandy Lake, Leech Lake, Red Lake, Mille Lacs, and Crow Wing, and accompanied the Chippewas when they were removed to the White Earth Reservation, where he died and was buried November 28, 1878. His wife was Charlotte Charbouillier, a mixed-blood Chippewa, and by her he was the father of eleven children. The county of Morrison was named for him, and not for his brother William, as has been often stated.

Chapter XXXVI.

POLITICAL SITUATION IN 1850.

POLITICAL party lines in 1850 were not drawn very strictly in the new Territory. At the first election held for members of the Legislature no political question had entered into the canvass. The first erection of a party standard took place at a "Democratic Mass Convention," which was held at the American House, St. Paul, October 20, 1849. Suitable resolutions were reported and adopted, and the *Minnesota Pioneer* was declared the organ of the party. This was a movement on the part of the Rice element of the Democratic party to gain control of Territorial politics. Mr. Sibley, on his first election as delegate to Congress, expressly stated, that he represented no political party or faction, and the convention was held for the purpose of requiring him to avow or disavow his allegiance to the Democratic party.

While there were no party nominations in the fall of 1850 for the election of a delegate to Congress, the selection of the candidates, which were made during the month of August, were not wholly based on personal preference. Governor Ramsey and other Whigs supported Sibley; while the Rice element of the Democratic party joined with the majority of the Whigs in nominating Colonel Alexander M. Mitchell. David Olmsted was also a candidate, but the week before election retired and a coalition was effected between his friends and those of Mitchell.

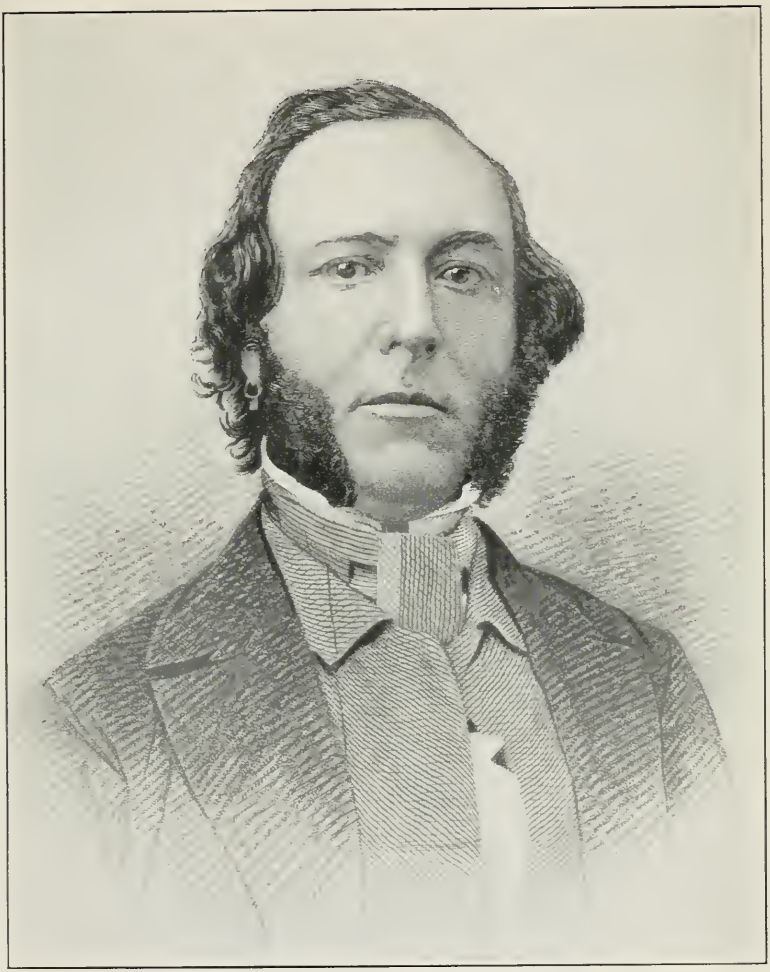
The election took place September 2, 1850, and there were no party issues; it was more a contest of rival Indian traders. Messrs. Sibley and Rice had been for a short time partners with

the great house of Pierre Chouteau & Co. A quarrel arose, and in the fall of 1849 Mr. Rice left the firm. General Sibley was then delegate in Congress. As the election approached, in 1850, Mr. Rice's friends put forward Colonel Mitchell, and supported him with all their great influence. The fears and jealousies of the people were aroused against Mr. Sibley on account of his connection with the Fur Company. The cry was Anti Monopoly!

For the first time in the Territory soldiers of the garrisons voted, which led to considerable discussion as to the propriety of such a course. The following is the vote in detail by precincts; Mr. Sibley receiving a majority of ninety in a total vote of 1208:

Precincts.	Sibley.	Mitchell.
St. Paul	151	153
St. Anthony	64	110
Little Canada	44	8
Stillwater	117	59
Marine	17	4
Falls St Croix	17	0
Snake River	10	0
Prairie	54	24
Sauk Rapids	3	60
Swan River	22	56
Crow Wing	8	48
Elk River	16	8
Nokaseppi	36	26
Lac qui Parle	12	0
Mendota	78	3
	649	559

Prior to the assembling of the second session of the Territorial Legislature, and in fact extending to 1853, began official criticism and censures, political strifes, and contentions which engendered a condition of strenuous antagonism and bitter animosities. While there were no political organizations, nor partisan questions at issue, there were a series of personal politics and conflicts. There was the Sibley party, the Rice party, and the Mitchell party, besides others. Each man was for himself



D. Cooper

with a "don't care for the hindmost." There were complaints and censures against the judges and other officers. Members of the legal fraternity openly denounced Judges Goodrich and Cooper as unfit and incompetent to represent the judiciary of the Territory; but no charge of corruption or malfeasance was made against them.

The political feeling at this period cannot be better illustrated than by the following episode. Mr. Goodhue, the editor of the *Minnesota Pioneer,* in the issue of the paper of January 16, 1851, wrote a malicious editorial against two of the Whig Territorial appointees of President Taylor. The editor expressed his extreme disapproval of their repeated absences from the Territory, and found fault with their conduct generally. Of United States Marshal Mitchell, he said:

> Since the organization of the Territory Mitchell has not been in it long enough, by a continued residence, to be entitled to a vote; yet he has been here long enough to be known as a man utterly destitute of moral principle, manly bearing, or even physical courage

Of Judge Cooper he said:

> He is lost to all sense of decency and self respect. Off of the bench he is a beast and on the bench he is an ass, stuffed with arrogance, self-conceited and a ridiculous affectation of dignity.

He closed the editorial as follows:

> We have had enough officers who are daily liable to arrest under the vagabond act; who never set a good example, perform an honest act, or pay an honest debt. We can endure much without complaint. It is less the need of a marshal and a judge we complain of, than of the infliction of such incumbents. Feeling some resentment for the wrongs our Territory has so long suffered by these men pressing upon us like a dispensation of wrath, a judgment, a curse, a plague, unequalled since the hour when Egypt went lousy, we sat down to write this article with some bitterness; but our very gall is honey to what they deserve.

The *Pioneer* of that week was issued in advance of the publication day, and Joseph Cooper, a resident of Stillwater, a brother of Judge Cooper, who was then absent from St. Paul, asserted he would resent the aspersions cast on the character of

the Judge by a personal attack on the editor. Rumors of this threatened assault reached Mr. Goodhue, and he armed himself with a revolver and a small Derringer pistol. The details of the encounter between these two gentlemen is thus described by an eye witness:

It was about twelve o'clock on Wednesday, January 15, the Legislature having adjourned for dinner, that the two combatants, in the presence of nearly one hundred and fifty witnesses, met on St. Anthony street (now Third street) in front of the lot where now stands the Metropolitan Hotel. The attack commenced by desultory pistol shooting, which was of more danger to the lives of the spectators congregated than to the participants. The principals were thereupon quickly disarmed by C. P. V. Lull, the sheriff of Ramsey County. At this time one of the crowd of spectators stole up behind Mr. Goodhue and threw his arms around him. Cooper then rushed forward, and with a dirk knife inflicted two wounds upon Mr. Goodhue, one in the abdomen and one in the side. The latter, jerking himself free from the party holding him, drew from his pants pocket his Derringer pistol and fired. Cooper receiving the ball in his groin. The wounds inflicted were of a dangerous character. Cooper died some two or three months after the affray in Michigan, his death being hastened by the pistol wound he had received. Goodhue was confined to his bed for several weeks.

SECOND TERRITORIAL LEGISLATURE.

This Legislature assembled January 1, 1851, in a three-story brick building, since destroyed by fire, on St. Anthony street, between Washington and Franklin streets, St. Paul. There was no change in the membership of the council from the preceding Legislature. David B. Loomis, of Marine Mills, was elected President.

In the House of Representatives, while there was no claim of a party victory, the political composition was fourteen Democrats and four Whigs. Unsuccessful objections were made to the swearing in of the representatives from the Seventh District, Alexander Faribault and Benjamin H. Randall, on the ground that they were not legally elected. On the second day of the session, seven ballots having been taken, Michael E. Ames was elected Speaker.

The presiding officer was a native of Vermont, born in 1822, and received an ordinary common school education. He studied law and commenced the practice of his profession in Wisconsin. In 1849, he came to Stillwater and four years later to St. Paul. He was a man of fine legal attainment, of a cool disposition and often irritated his professional brethren who opposed him. His voice resembled a woman's, but he was always gentlemanly, social and kind, and was known as the "Chesterfield of the Minnesota Bar." He died in the vigor of manhood, at St. Paul, in 1861.

Of the eighteen members of the House of Representatives James Wells, of Lake Pepin, Sylvanus Trask, of Stillwater, and Benjamin W. Brunson, of St. Paul, had been re-elected. John A. Ford was a native of New York and came west with his father in 1834, locating on a land claim where Chicago now stands. In 1841 he came to Red Rock and with the exception of the traders was the first merchant in Washington County, he sold goods for twelve years and subsequently engaged in farming.

But little is known of Jesse Taylor, he was originally from Kentucky and was employed as a stone mason at Fort Snelling. He became in 1838 the first permanent settler at Taylor's Falls, which were named for him. Here he made some improvements, but afterwards disposed of his interests. He became a resident of Stillwater in 1846, but removed from that place some seven years afterwards.

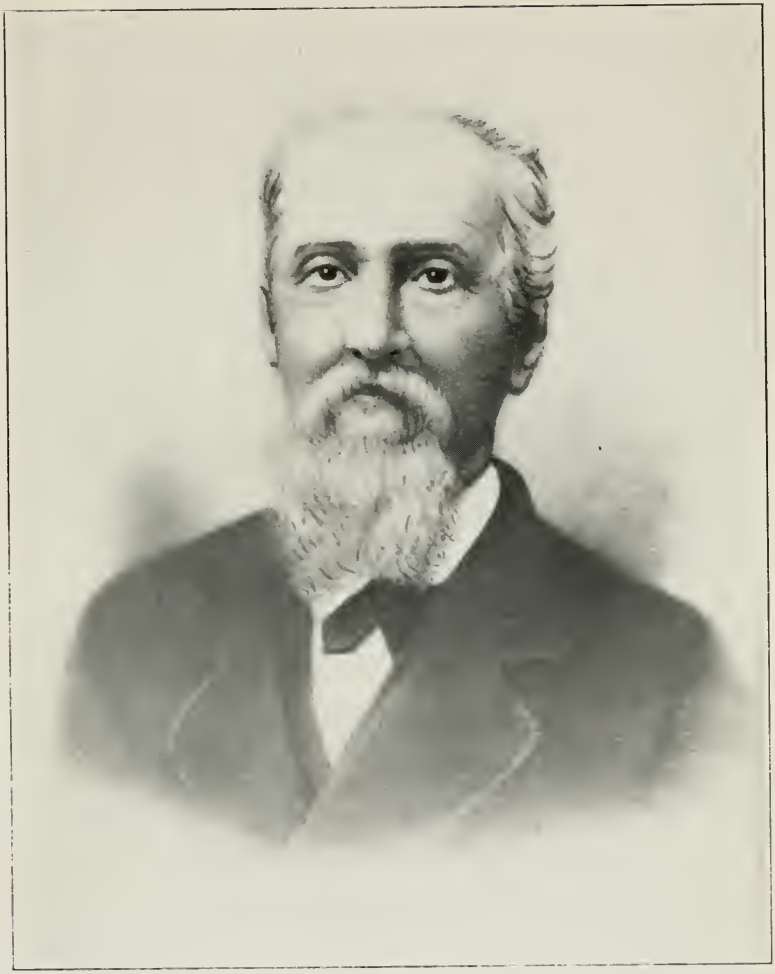
Justus C. Ramsey, was a brother of Alexander Ramsey. He was born near Harrisburg, Pennsylvania, received a common school education, and learned the trade of printer. In his early life he carried a chain in the survey over the Alleghany Mountains made by the Pennsylvania Railroad Company. He came to St. Paul in 1849 and made investments in real estate. Frugal in his dress and every other way in the expenditure of money, he never wore an overcoat except once or twice in the coldest weather. He was found dead in his room and being unmarried left his fortune to eight nieces and nephews and to the Catholic and Protestant Orphan Asylums of St. Paul. His colleagues from the St. Paul district were Benjamin W. Brunson, Edmund

Rice, and Henry L. Tilden. The latter was a native of Ohio and came to Minnesota in 1849. He was a lawyer by profession and a gentleman of fine ability. He was appointed marshal of the Territory in 1851. His death occurred at St. Paul, January 19, 1852.

From Marine Mills came John D. Ludden, a native of Massachusetts. He emigrated to the West in 1842, locating at the lead mines of Wisconsin. Three years later he came to St. Croix Falls, Wisconsin, remaining at that point and Taylor's Falls until 1849 when he moved to Marine Mills. In 1857 he changed his residence to Stillwater, and in 1861 became a citizen of St. Paul, where he died October 14, 1907.

The district comprising the Falls of St. Anthony precinct was represented by John W. North and Edward Patch. The former was born in Onondaga County, New York. He graduated from the Wesleyan University, at Middletown, Connecticut, and was admitted to the bar in 1845. He came to Minnesota in 1849, and seven years afterwards founded the town of Northfield. He was a member of the Republican wing of the Constitutional Convention, and in 1861 he removed to Nevada, having been appointed by President Lincoln surveyor general of that Territory. He presided over the convention that framed a constitution for the State of Nevada. He subsequently removed to California, was United States Judge in that State, and died at Oleander, California, February 22, 1890. His colleague, Edward Patch, was also a native of New York and came to St. Anthony in 1847. He was a contractor and builder.

The Sixth District, which comprised the territory west of the Mississippi and north of the Osakis River to the British boundary line, had four Representatives. (1) David Gilman, of Watab, of whom mention is made elsewhere. (2) S. Baldwin Olmstead, born in Otsego County, New York. In his early manhood he emigrated to the Northwest and resided in Iowa and Minnesota. He became interested in Government contracts about Fort Ripley, but afterwards engaged in farming at Belle Prairie. At the close of the Civil War he moved to Texas and settled on a farm in Burnett County, in that State, where he died January



ALEXANDER FARIBAULT.

27, 1878. (3) William W. Warren was born at La Pointe, Wisconsin, and was a mixed-blood Chippewa Indian. His father was descended from the Plymouth Pilgrims. His mother was of three-fourths Chippewa blood. He attended Reverend Boutwell's school at La Pointe, and afterwards the mission school at Mackinaw. At the age of eleven he visited his grandfather in New York, and attended the Oneida Institute, at Whitesboro, in that State. Here he remained until he was sixteen years of age, acquiring a good, scholastic training. When he was seventeen years of age he was Indian interpreter at La Pointe, and in 1845 came to Minnesota, first living at Crow Wing and Gull Lake, being engaged in farming and serving as interpreter. He died at St. Paul, June 1, 1853. (4) D. T. Sloan was about thirty-six years of age, a native of New York, residing at Little Rock.

The two members from the Seventh District were Benjamin H. Randall and Alexander Faribault. The latter was born at Fort Crawford (Prairie du Chien), Wisconsin, in 1806. He was the son of Jean Baptiste Faribault, and was one-half French, one-fourth Scotch, and one-fourth Sioux. His schooling was obtained at Fort Snelling under the tutelage of two young lieutenants. On his removal to Faribault, which he founded in 1853, he became actively engaged in the flour milling business. He was a man of the kindliest feelings, of most inflexible integrity and evenness of temper. He died at Faribault, November 28, 1882.

Benjamin H. Randall, now (1908) the only living member of the Second Territorial Legislature, is a native of Vermont, and came to Fort Snelling in 1849. He was connected with the sutlers' department at that post, and from 1853 to 1868 was a sutler at Fort Ridgely. After the Sioux outbreak he removed his family to St. Peter, and while a resident of that city was engaged in the manufacture of boots and shoes. He was mayor of that city, also county superintendent of schools for Nicollet County. He has been a resident of Winona for a number of years.

In his able message Governor Ramsey recommended a complete revision of the laws of the Territory, as by the organic act

the courts had been compelled to use the laws of the late Territory of Wisconsin, of which the latest compilation was made in 1839. He advocated a slight modification of the law for summoning petit jurors so as not to delay the courts beyond the first week of their term.

The total assesed value of the property in the Territory was stated to be $805,417.48, of which amount over one-half was located in Ramsey County. As one of the duties of the Legislature he specified that there should be a new apportionment of Councilors and Representatives, to conform with the federal census of 1850. Also that the agricultural interests of the Territory must be fostered and cared for, as the Territory was essentially an agricultural community, and by the encouragement of that industry it would become opulent and prosperous. He stated that he had received from the settlements of the Red River of the North specimens of spring wheat equal in weight to any winter wheat raised in the Middle States of the Union.

The attention of the Legislature was called to the needs of public education, the improvement of the streams throughout the Territory, to the construction of a ship canal around the Sault Sainte Marie, which would develop the inexhaustible fisheries of Lake Superior and the immense mineral wealth bedded in its shores which had in a considerable degree already attracted public attention. The Legislature was asked to earnestly memorialize Congress on these subjects. The latter part of his message was devoted to Indian affairs.

The Legislature adjourned March 31. In a review of its labors mention is made of the following laws which it enacted. The Governor was empowered to appoint a state librarian, to hold office for one year, who was to give a bond of $6,000 and receive a salary of $400. The erection of a public building for the use of the Legislative Assembly, Supreme Court and other Territorial offices was provided for. The University of Minnesota was incorporated, to be located at or near the Falls of St. Anthony.

Another act regulated the sale of spirituous liquors. A dealer desiring to sell the same in less quantity than one quart was

obliged to obtain a license from the board of county commissioners of the county in which he resided. This license was to be granted for one year and the price to be paid was not to be more than $50 or less than $20. The party receiving the license was required to give a bond of $500 agree to keep an orderly house, and not to allow unlawful gambling or riotous conduct on his premises. No intoxicating liquors were to be sold on Sundays, under penalty not to exceed $25 nor less than $10 for each offense. Violators of the license law were liable to a fine of not more than $100 or less than $50 for each offense.

The Mississippi, the St. Croix, and the St. Anthony Boom Companies were incorporated. The northern part of Washington County was established as Chisago County and its organization was perfected September 1, 1851. Congress was memorialized for an endowment to the University of Minnesota; for a land grant of 100,000 acres; for a continuance of explorations in the Territory, and for the construction of a railroad from Mobile, Alabama, to Chicago and Milwaukee, thence through Wisconsin to St. Paul.

The Legislature received a communication from Hole-in-the-Day, the noted chief of the Chippewas, inviting the Governor and members of both houses to be present at the Presbyterian church in St. Paul, January 8, 1851, to listen to an address to be delivered by him. In true Indian style he narrated the sufferings of his people, and begged for supplies for his tribe in the inimitable manner of his race. A committee was appointed to solicit subscriptions for the deserving red men relief.

An apportionment bill, based on the census of 1850, was passed by the Legislature, March 29, after a bitter personal discussion. The Territory having been divided into counties, it was apportioned into council districts as follows: 1, Washington, Itasca and Chisago Counties. 2, Precincts of St. Paul and Little Canada, in Ramsey County. 3, Precinct of St. Anthony Falls. 4, Counties of Wabasha and Washington and precincts of St. Paul and Little Canada jointly, Wabasha to be one representative district. 5. Benton and Cass Counties. 6. Dakota County. 7. Pembina County.

The opponents of the apportionment bill in the House of Representatives, John A. Ford, David Gilman, David T. Sloan, William W. Warren, Edward Patch, John W. North and Edward Rice, resigned their seats. They contended that the census was incorrect; that Benton County, with 4,000 acres under cultivation, had, by the bill, but one-half of the representation given to Pembina County, where there were but seventy acres under cultivation, more than one-half of which belonged to one individual. They also urged the fact, that, excepting soldiers, at least seven-eighths of the population were Indians, and that the Legislature had no authority over the unceded land. These disputed points were submitted to James E. Thompson, then Chairman of the Judiciary Committee of the National House of Representatives. In a communication to Henry H. Sibley he wrote:

> The organic law of the Territory regarded the entire Territory in precisely the same light—all parts of it entitled to representation—all male citizens of twenty-one years of age, being free, no matter where situated or living, being entitled to vote. The legislation over the whole Territory is a complete right in the Territorial Legislature, subject only to the restrictions implied in the exclusive right of Congress to regulate the intercourse between the Indian tribes.

In the fall of 1851 political excitement was perhaps a shade less bitter than the year previous. The *Pioneer* launched its thunderbolts at H. M. Rice and his friends and C. K. Smith. The *Democrat* inveighed bitterly against the Whig office holders. The party factions were split up, warring against each other. The federal office holders were at swords, points and undermining one another. This war terminated in a batch of resignations and removals. The Territorial Secretary, Charles K. Smith, was removed from his office and Alexander Wilkin was appointed his successor. The new Secretary was a native of New York and practiced law at Goshen in that State. He served as a captain in the Mexican War, where in an unfortunate difficulty he shot a brother officer in a duel. In the spring of 1849 he came to St. Paul, where he became a member of the Territorial bar. He was a very brave man and at the breaking out of the War of the Rebellion he raised a company for the First Minnesota Infantry.

He was in 1862 commissioned major and lieutenant colonel of the Second Minnesota Infantry and colonel of the Ninth Minnesota Infantry. His regiment took part in the Indian campaign in 1862-63; in the latter year he was ordered South with it, and was killed July 18, 1864, at the Battle of Tupelo, Mississippi. The Legislature of 1868 bestowed his name on one of the western counties in the State.

In the spring of 1851 several members of the bar of the Territory, becoming dissatisfied with the rulings and the personal character of the Chief Justice, Aaron Goodrich, made application to Daniel Webster, then Secretary of State, for his removal. After hearing their complaints he positively declined to give the matter any consideration. The opponents of Judge Goodrich did not cease in their efforts to secure his removal, nor were there lacking causes of complaint against him. A letter was finally formulated to President Fillmore, containing specifications of the Judge's inconsistency as a lawyer and unfitness as a judge, and of his improprieties on and off the bench. These allegations the President finally believed and the removal of Judge Goodrich was effected November 13, 1851. Jerome Fuller was appointed his successor.

The new Chief Justice at the time of his appointment, was a resident of Brockport, New York, he having, in 1835, emigrated to that city from Litchfield, Connecticut. He was elected a member of the New York State Legislature in 1842 and again to that body in 1847. He early gained a high reputation at the bar and distinguished himself as a statesman. In 1850 he became a resident of Albany, New York, where he established the *State Register,* a Whig paper which he edited until the fall of 1851 when he received his appointment as Chief Justice of the Supreme Court of Minnesota. His confirmation was successfully opposed in the United States Senate by William H. Seward, then United States Senator from New York. President Fillmore thereupon appointed, on December 16, 1852, to succeed him Henry Z. Hayner, of Troy, New York. Judge Hayner during his term of office never presided at a Supreme Court term, although he held a few terms of the District Court. It was he who de-

cided the unconstitutionality of the liquor law, and who sentenced the Indian Zuyay-se to be hung.

THIRD TERRITORIAL LEGISLATURE.

The election for members of both houses of the Third Legislature occurred, October 14, 1851, and for the first time in Minnesota history a regular Democratic ticket was placed before the people. The opposition was called Anti-organization or Coalition.

The Third Legislature Assembly commenced its session January 7, 1852, in what was known as the Goodrich Block, on Third street below Jackson, now a part of the Merchants' Hotel, St. Paul.

The members re-elected to the Council were Martin McLeod, David B. Loomis and William H. Forbes. The latter was chosen President.

One of the members from the First District was Elam Greely, one of the founders of Stillwater, a native of New Hampshire. Mr. Greely came to St. Croix Falls in 1840 and became identified with the lumber interests in that locality.

George W. Farrington, a man of energy and strong business qualities, was one of the councilors from the Second District. He was a native of Ireland and came to St. Paul in 1851 and became a banker and dealer in real estate. The precinct of St. Anthony Falls was represented by William L. Larned.

From Benton and Cass Counties came Sylvanus B. Lowry, a son of the zealous missionary, Reverend David Lowry. He located first at Brockway, ten miles above St. Cloud and established a trading post, but in 1853 removed to St. Cloud, where he made his home until his death, in 1861. The other members of the Council, Lorenzo H. Babcock and Norman W. Kittson, have been briefly mentioned elsewhere.

The House of Representatives organized and elected John D. Ludden, Speaker. Of the members of the House not mentioned on other pages, Martin Leavitt was a lumber dealer of Stillwater. His colleagues from the First District, besides the Speaker, were Mahlon Black and Jesse Taylor.

The Second District had five Representatives: (1) Charles S. Cave; (2) Samuel J. Findley; (3) Jeremiah W. Selby, a native of Ohio, who settled at St. Paul in 1849 and made extensive purchases of real estate; (4) J. E. Fullerton, a clothing merchant, of St. Paul, and (5) William P. Murray.

This was the first appearance of the last named gentleman in the legislative history of the Territory and State. He was born at Hamilton, Ohio, June 21, 1827. His paternal grandfather, William Murray, was a native of Ireland and was one of the early pioneer settlers of Southern Ohio. William P. Murray was an only child. When he was very young his father died. He then went to live with an uncle, J. G. Stillwell, a country merchant in Stillwell, a small village, in Butler County, where he helped his uncle in the store and attended the public school until the age of seventeen, when he was sent to Miami University, at Oxford, Ohio, where he passed two years. After leaving this university he went to Centerville, Indiana, where his mother, who had remarried, resided. He studied law for the next two years and a half in the office of Oliver P. Morton, afterwards Indiana's War Governor and United States Senator. In 1848 he became a student in the law department of the Indiana University, at Bloomington, in that State, and after his graduation, in the spring of 1849, he was admitted to the bar. He opened a law office in Centerville, but becoming dissatisfied he came to St. Paul, registering at a hotel December 24, 1849. In the fall of 1850 Mr. Murray was an unsuccessful candidate for Representative for the Territorial House, but in 1851 he was elected to that body on the "People's Ticket," in opposition to a ticket called the "Old Line." The next year he was again elected to the House on the Democratic ticket. In 1854 Mr. Murray was elected to the Council and the following year was President of that body. He was again a member of the Territorial House in 1857, and the same year of the Democratic wing of the Constitutional Convention. After the admission of the State into the Union he served in the House in the sessions of 1863 and 1868; in the Senate in 1866 and 1867, and again in 1875 and 1876, making with his Territorial terms eleven sessions in all. Mr.

Murray has also served his adopted city since 1859 for sixteen years in the city council, has been county commissioner, county attorney, and was city attorney of St. Paul for thirteen years. The county of Murray was named in his honor. Newson in his "Pen Pictures" says of Mr. Murray: "He is a good lawyer, a good talker, a good citizen; full of energy; full of fun; a regular bunch of fire crackers amongst his friends; sympathetic, a real friend of the poor, kind hearted, plain, blunt, smiling, 'Bill' Murray."

The Third District was represented by Sumner W. Farnham, a native of Maine, who was early engaged in lumbering and arrived at Stillwater in 1848. He afterwards removed to St. Anthony, where he engaged in logging and lumber manufacturing, also opened the first bank at that place. His colleague was Dr. John H. Murphy, who has been briefly mentioned in other parts of this work.

The Representative from the Fourth District was Fordyce S. Richards, a native of New York, who came to Minnesota in 1850, and opened a general store at Reed's Landing. He afterwards became engaged in farming.

From Benton and Cass Counties came James Beatty, who was born in Fairfield County, Ohio. When fourteen years of age he went to Cass County, Michigan. He was governnment farmer for the Winnebago Indians near Fort Atkinson, Iowa, and in 1848 located at Sauk Rapids. He was an Indian trader, hotel keeper, merchant, and farmer. The other member was David Day, a Virginian, who in 1846 removed to the lead regions of Wisconsin, where he followed mining. He studied medicine at night and graduated from the medical department of the University of Pennsylvania in 1849, He came to St. Paul in that year and was appointed register of deeds, and while temporarily residing at Long Prairie was elected Representative from Benton County. He afterwards became postmaster of St. Paul and died in that city. He was one of the commissioners who erected the present elegant city hall of St. Paul.

The Sixth District was represented by James McC. Boal, and Benjamin H. Randall, and the Seventh by Joseph Rolette and Antoine Gingras.

In his message to the Third Legislature Governor Ramsey called attention to the increase in the taxable property of the Territory, which in the year 1851 amounted to $1,282,303. The three important settlements within the boundaries of the Territory were referred to as follows:

> St. Paul, occupying a site which but three years ago was an uninhabitable waste, with its population of 2,500 inhabitants, its commercial activity, its numerous public edifices and private dwelling houses, is rapidly pressing forward to become the great capital of the Northwest.
>
> Saint Anthony, beautifully situated almost under the spray of the great falls of the Father of Waters, with its intelligent population, with the refining influence of the University so fitly located there, must enjoy enviable distinction as a seat of learning in the valley of the Mississippi.
>
> While Stillwater, the lumber depot of the North, with the rapid augmentation of this great interest, is increasing with unabated vigor in wealth and population, and will ever occupy a commanding position as a central mart of the opulent valley of the St Croix.

He reported the progress made in the building of the capitol and penitentiary; also, the Government survey for the Territorial road. The new code of the statute laws enacted by the preceding Legislature was highly commended. Partial and special legislation, he stated, was an evil justly opposed by the public mind. The divisions of the judicial districts were considered by him as inadequate to the exigencies of the Territory. As an instance he cited Pembina County and its remoteness from the judicial district to which it was attached. By its situation, its inhabitants were virtually denied the administration of justice.

The importance of engrafting upon the policy of the Territory a good common school system of education was urged by the Governor. His message closed with a detailed account of the advantages and benefits to be derived by the citizens of the Territory from the treaties made during the preceding year with the Sioux and Chippewa Indians.

The Legislature adjourned March 6, 1852. In an analysis of its work mention may be made of the following: Agricultural societies were incorporated in Ramsey and Benton Counties.

The terms of the Supreme and District Courts were fixed, and there was to be one term of the Supreme Court held annually at the seat of government. The District Courts were to be held two terms in each district with the exception of Pembina County where there was to be one. Dakota County was attached, for judicial purposes, to Ramsey County; Wabasha to Washington; Cass and Itasca to Benton. Chisago, Washington and Ramsey Counties constituted the first judicial district and Chief Justice Jerome Fuller was assigned to it. The second judicial district was Benton County, over which Judge Bradley B. Meeker was to preside. The third judical district was Pembina County to which Judge David Cooper was assigned.

By another act a Supreme Court reporter was to be appointed whose duties were to make a correct report of the Supreme Court decisions and publish the same annually. The first appointee to the office was Isaac Atwater, though previously the duties had been performed by William Hollingshead.

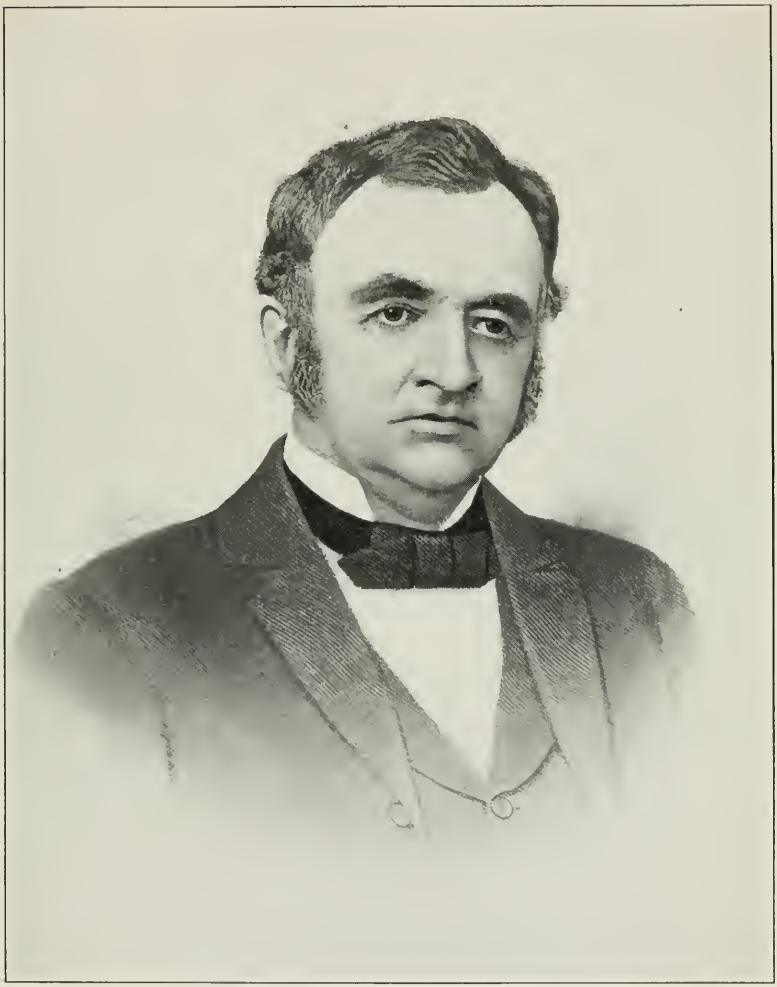
The county of Hennepin was established. The election of delegate to Congress was postponed until October, 1853.

Congress was memorialized to change the name of the St. Peter's River to the Minnesota; also to establish a boundary line between the Territory and the British possessions.

The most important legislation was the enactment of a liquor law similar in its provisions to the Main Liquor Law which was to be submitted to the people for their approval.

THE TEMPERANCE WAVE.

The country at large, during the period between 1840-50, was greatly agitated over the question of total abstinence from the use of intoxicating liquors. In 1851 the Legislature of Maine passed a bill, drafted by General Neal Dow, which became known as the "Maine Law," which provided for the seizure and destruction of the illegal manufacture or sale of liquors. The question of temperance had been early agitated in Minnesota in the summer of 1848 through the efforts of Miss Harriet E. Bishop; a society of young people had been organized who signed



Isaac Atwater

a pledge of total abstinence from the use of all intoxicating drinks. This was undoubtedly the first temperance society formed in Minnesota. The pledge was drawn up by James McC. Boal, who decorated it with drawings and appropriate designs. Shortly after this another temperance society was formed by the young men of St. Paul.

A division of the Sons of Temperance was fully organized in St. Paul in the early part of 1849, under the title of "St. Paul Division No. 1, Sons of Temperance." This became quite a powerful organization, and at one time owned a lot and built a building thereon for a hall, but subsequently lost the property by foreclosure of a mortgage. According to the newspapers of the day these efforts did not accomplish any great results. Under date of August 4, 1849, the *Minnesota Register* says:

> The number of retail liquor establishments in St. Paul and other towns in the Territory, is a LEETLE too great for a sound and healthy State of public morals It is the subject of remark by strangers, and gives us a bad name at home and abroad, to say nothing of its evil effects upon society.

The *Pioneer* of August 9, of the same year under a "score line" of "Shameful," has the following:

> Last Monday night some persons in St. Paul furnished a band of Winnebago Indians with liquor. Of course they got drunk and were patrolling our streets at night, singing their terrific war songs, and filled with bitter malignity. These things must not be tolerated.

There was considerable agitation of the temperance question during the years 1850-51. Pursuant to a published call a prohibition convention was held at St. Paul, January 1, 1852. It was well attended by delegates. While an earnest feeling in favor of the movement prevailed, the newspapers ignored this meeting and contained no report of its proceedings and made only indirect allusions to it. However, the committee took strong ground in favor of a Maine prohibitory law, but its threats to form an independent temperance party did not receive much consideration. The efforts made by members of the convention in the shape of "personal pressure" on the members

of the Assembly, resulted in success, and the legislation demanded was granted. A very strong "Maine Liquor Law" was enacted by the Legislature of 1852. The manufacture, sale, or possession of liquor was made a penal offense, to be severely punished. Liquor dealers were prohibited from sitting as jurymen. All liquor found in the Territory was to be destroyed. The law was to be voted on by the people on the first Monday in April, and if approved, was to be operative from and after May 1. If approved, county commissioners could not grant licenses longer than to that date.

The approval or rejection of this law interested all classes of citizens. It was a theme of conversation among mothers and daughters, and a subject of discussion in the pulpits by both the Protestant and Roman Catholic clergy, all heartily in favor of the law. The contest was short, but very excited. On April 5, the election took place. Ramsey County, to the general surprise, gave a majority in favor of the law. When this was learned, although at nine o'clock at night, all the church bells in St. Paul rang a simultaneous peal of joy. The vote on the liquor law by counties was as follows:

Counties.	For.	Against.
Ramsey	528	496
Washington	218	68
Dakota	32	4
Chisago	13	3
Benton and Cass	62	91
	853	662

The advocates of the law ardently hoped that it would operate successfully, but they were disappointed. In Ramsey County the county commissioners construed the law to suit themselves, and granted licenses as before. In Stillwater the law was enforced, and the saloons closed up. The opponents of the law, believing it to be unconstitutional, took an early occasion to test it by a case. William Constans, a commission merchant of St. Anthony, had in his warehouse several packages of liquor, stored there by or for another party. Sheriff Brott, of Ramsey County,

made a descent on the warehouse intending to confiscate and destroy the liquor under the law. Constans offered, however, to give up the packages, if the sheriff would give a bond to indemnify him if the law was declared unconstitutional. This the sheriff declined to do, and summoned from the crowd persons to assist him in the seizure. Constans's friends also rallied, and to avoid a riot a compromise was effected, the liquor remaining in Constans's possession.

The case came up before Judge H. Z. Hayner, who declared the liquor law null and void, upon the grounds that the legislative power of the Territory was, by the organic act, vested in the Governor and Legislative Assembly solely, and they had no power to delegate their authority to the people. As the act in question was an attempt at such transfer of power, it was, therefore, inoperative. He also delivered the same opinion in an appeal of Alexis Cloutier, who had been fined twenty-five dollars for violating the liquor law. The temperance element made strong efforts for another prohibitory law at the session of the Legislature in 1853. A new bill for restricting the sale of spirituous liquors was drawn up, and submitted to Chief Justice Hayner, for his opinion as to its constitutionality. He decided that if it should be enacted the proposed law would be unconstitutional for the following reasons:

First. The ninth section of the bill violates the constitutional provision of the United States, that a man shall not be compelled in a criminal case to be a witness against himself.

Second. The eleventh section of the bill violates the provisions of the constitution of the United States in these respects:

1. That a man shall not be deprived of his liberty or property without due process of law.

2 That the people have a right to be secure in their persons, houses, and effects against unreasonable searches and seizures.

3. That no warrants shall issue but upon probable cause, etc.

4. That the defendant shall have compulsory process for obtaining witnesses in his favor.

5. That he shall have the assistance of counsel for defense.

6. That there is no provision made for the adjournment of a cause but it must proceed immediately.

Third. The eighth section is a violation of the provisions of the Constitution of the United States that excessive bail shall not be required.

On the receipt of the Chief Justice's opinion, no further action was taken by the Legislature, and the efforts to place on the statute book of the Territory a prohibition law were abandoned.

FOURTH TERRITORIAL LEGISLATURE.

The Fourth Legislature convened January 5, 1853, in a two-story brick building, corner of Third and Minnesota streets, St. Paul. Some delay was experienced in electing officers and organizing. The Legislature adjourned from day to day, awaiting the arrival of the members from Pembina County, who walked the 500 miles from that place on snow shoes. There was no change in the membership of the Council from the preceding session and Martin McLeod was elected President.

The House was not so harmonious. Day after day the members balloted for Speaker, and it was not until January 25, on that sixty-fourth ballot, that the deadlock was broken. David Day was elected over Bushrod W. Lott by one vote. There had never been any general organization of the Whigs as a party during the days of the Territory. There was, however, a very select body of that party at Stillwater, which had held a convention and nominated a straight county ticket. They had elected N. Green Wilcox to the House of Representatives and, in an attempt to force his own election as Speaker, he had delayed the organization of the House nearly three weeks.

The following members had been re-elected: John E. Ludden, William P. Murray, David Day, B. H. Randall, Joseph Rolette and Antoine Gingras. James Wells had been a member of the First and Second Legislatures, and Justus C. Ramsey of the Second Legislature. The new members from the first district were the following: Albert Stimson, a native of Maine, who came to Stillwater in 1849. He followed lumbering in his native State and on the St. Croix. He helped organize Kana-

bec County, and finally removed to Anoka; Caleb Truax, a native of New York who moved to Point Douglas in 1849, where he followed the business of farmer and carpenter; he died at that place in 1878. The third member was N. G. Wilcox, previously mentioned.

Bushrod W. Lott, a member from the second district, was born in Pemberton, New Jersey. He was educated at the St. Louis University, and admitted to the practice of law in 1847. A year later he came to St. Croix Falls as clerk of the land office, during the first land sales in that region. The same year he came to St. Paul and engaged in the practice of law. President Lincoln, in 1862, appointed him consul to Tehuantepec, Mexico, where he served until 1865. He died of apoplexy in 1886.

Another member from the second district was Louis H. Oliver, a native of Canada, who settled in St. Paul in 1850, and was register of deeds in Ramsey County from 1853 to 1857. He was largely interested in real estate and after the panic in 1857 removed to Canada, where he died in 1862.

From the same district came William Noot, a Prussian, who came to St. Paul in 1847 and translated the first message of Governor Ramsey's into German. During the Civil War he was a member of Company G, Second Minnesota Infantry.

The Representatives from the third district were Roswell P. Russell and G. B. Dutton. The former was a native of Vermont, and at the age of sixteen came to Michigan. He came in 1839 from Prairie du Chien, in a Mackinaw boat, to Fort Snelling. Mr. Russell remained at the Fort until 1845, being engaged in the Indian trade. In 1847 he made a claim at St. Anthony Falls, and opened the first store in a log building at that place. In 1854 he was appointed receiver of the land office at Minneapolis. He became actively engaged in farming, merchandising and real estate transactions.

The new member from the fifth district was J. McKee, and from the sixth district Dr. Alfred E. Ames.

Governor Ramsey delivered his annual message January 26, 1853, to the two houses and the populace in the court house at St. Paul, then recently completed. The first part of his message

was devoted to the consideration of the Indian treaties and he recommended that the Legislature should memorialize the President and Congress to secure to the Sioux Indians an occupancy of fifty years of their reservations instead of limiting them to five years. He reported the progress made by the Government in building Territorial roads, and showed that the accessible taxable property in the Territory in 1852 was $1,598,165. The Legislature was notified that the Territorial penitentiary was completed and that the capitol would soon be ready for occupancy.

The increase of population indicated a necessity for the organization of new counties on the west bank of the Mississippi and in the Minnesota Valley. He considered it one of the duties of the Legislature to use every facility and encouragement to provide a well organized and well equipped militia so as to furnish protection to the exposed frontiers of the Territory. His message closed with a prophecy that in the next decade Minnesota would become a state of 500,000 and that the blue waters of Lake Superior and the red tinged floods of the Mississippi would be united by iron bands and a southeastern line of railroad would connect St. Paul with Lake Michigan.

The Legislature adjourned March 5, 1853. There was but little important legislation occomplished during the session. The counties of Goodhue, Fillmore, Le Sueur, Rice, Blue Earth, Sibley, Nicollet and Pierce were organized. The town of Mendota was incorporated. By a general law it was enacted that three or more persons were empowered to incorporate a college, seminary, church, lyceum or library.

By a joint resolution the Governor was authorized to appoint a person or persons to collect specimens of the various agricultural, mineral, and other productions as would best illustrate the capabilities, fertility and resources of the Territory for the exhibition at a world's fair to be held in the ensuing summer in New York City. Subsequently William G. LeDuc was appointed the Territory's commissioner and $500 was appropriated for his expenses in attending the exposition; he received no salary. The exhibit of Minnesota products attracted much attention and comment at the great fair. The Governor was also empowered

to appoint one or more persons as assessors or collectors of taxes in unorganized counties and to lay out and establish election precincts to be not within twenty miles of any established precinct whenever any number of voters of not less than ten should petition him so to do. Congress was memorialized to establish a military post on or near the Pembina River; also for an increase of the appropriation for the erection of public buildings.

Chapter XXXVII.

ADMINISTRATION OF GOVERNOR GORMAN.

IN 1848 the Whig party elected Taylor and Fillmore to the presidency and vice-presidency by a substantial majority. Four years later, however, the party with a candidate of far greater reputation than General Taylor, was overwhelmingly defeated, and the Democrats elected to the presidency Franklin Pierce, of New Hampshire, a comparatively obscure man, over General Winfield Scott, of world wide renown. This was the last Presidential campaign participated in by the Whig party under its old name, and in 1854, the once great political organization, to which Clay, Webster, Bell, Crittenden, Lincoln, and other great statesmen belonged, practically passed out of existence.

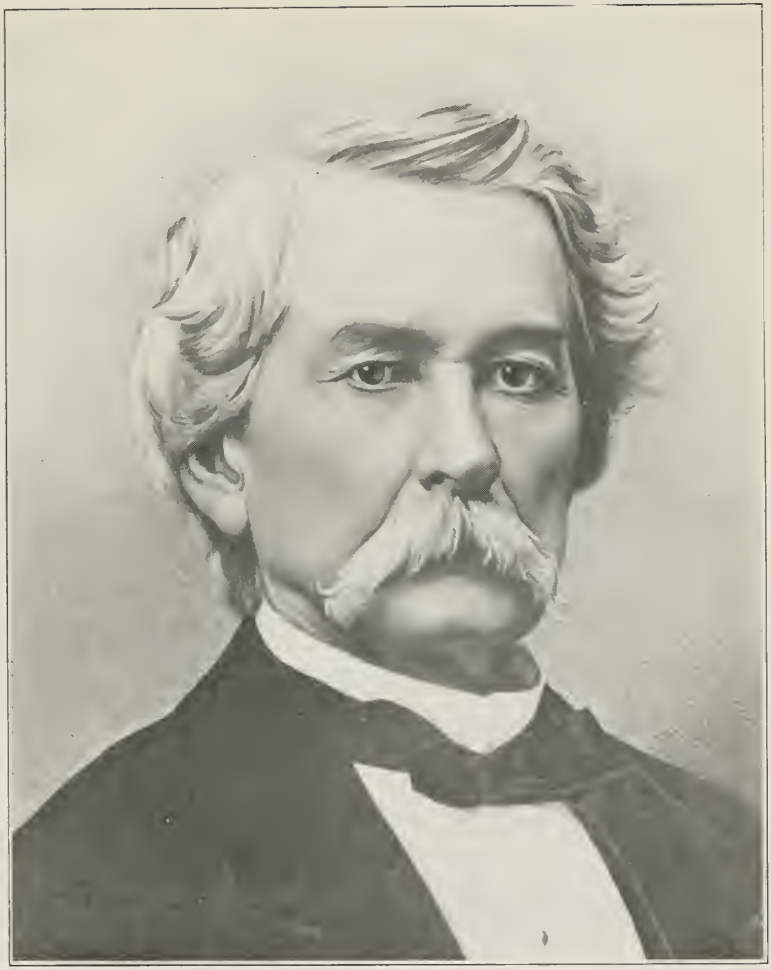
With the change in national administration came a change of Territorial officers in Minnesota. So far as he had the power President Pierce made a clean sweep in turning out the Whigs and replacing them with Democrats. The zealous Whig Governor, Alexander Ramsey, was removed and Colonel Willis A. Gorman of Indiana appointed in his stead. Gorman was a life-long Democrat, without variableness or shadow of turning. When he came to Minnesota, the new Governor, though but thirty-seven, had already achieved a career of considerable distinction. He was born of Irish ancestry near Flemingsburg, Kentucky, January 12, 1816. After receiving a good preparatory education, he graduated at the law department of the Indiana University at Bloomington. He commenced the practice of his profession at Bloomington, became popular as a lawyer but even more so as

a Democratic party leader, and was elected, at the age of twenty-three, to the Indiana Legislature, serving six terms in succession.

At the breaking out of the Mexican War Gorman enlisted as a private in the Third Indiana Volunteers, and he was afterwards appointed major. He won the reputation of a gallant and dashing officer, taking a conspicuous part at Buena Vista—where he was wounded—and other battles. In May, 1847, his regiment having been mustered out, he recruited the Fourth Indiana Volunteers and was elected its colonel. This regiment took part in a number of battles and served until the close of the war.

On his return to Indiana in 1848 Colonel Gorman was elected to Congress and re-elected in 1850. At the close of his term of office as Governor of Minnesota, in May, 1857, he resumed the practice of law in St. Paul. He was a member of the Constitutional Convention and in the First State Legislature was an unsuccessful candidate for United States Senator. At the breaking out of the War of the Rebellion, he was appointed colonel of the First Minnesota Infantry. For bravery and good service at the first battle of Bull Run he was promoted to brigadier general. He was mustered out in 1864. Returning to Minnesota he resumed the practice of his profession in partnership with Cushman K. Davis. He was elected city attorney of St. Paul in 1869 and held that office by re-elections until his death, which occurred in that city May 20, 1876. Governor Gorman was a man of undaunted courage, a good lawyer, and a well trained politician. He sincerely believed in the doctrine that "all's fair in politics," but left a name untarnished by any stain of dishonor, and during his long public career there was never any charge of fraud, dishonesty, or meanness detrimental to his character.

The other appointees of President Pierce were J. Travis Rosser, as Territorial Secretary, vice Alexander Wilkin. Rosser was a native of Virginia, and then about twenty-five years of age —a genial, pleasant, chivalrous Southerner, but a defender of slavery. When his term of office expired he went to Mankato to live, then went South and joined the cause of the Confederates.



WILLIS A. GORMAN.

M. E. Irwin was appointed United States Marshal, succeeding Joseph W. Furber, who had been appointed in place of Henry L. Tilden. Irwin was a native of Missouri, about twenty-nine years of age; rather quiet in manner. He made a good officer and left Minnesota soon after the termination of his term of office.

William H. Welsh was appointed to succeed Henry Z. Hayner as Chief Justice of the Supreme Court. Judge Welch was a native of Litchfield, Connecticut; his father, Captain John Welch, served with distinction in the Revolutionary War. William H. graduated from Yale College, and after studying law moved to Steubenville, Ohio, and thence to Michigan. While in that Territory he was a member of the convention which framed the first State constitution. In 1849 he came to St. Anthony and in 1852 was elected judge of probate for Ramsey County. Judge Welch lacked thorough legal training and subsequent practice needful for an able jurist. This combined with ill health made him less prominent than his associates. His published opinions, however, commanded the respect of the bar and are quite equal to the average of those of Territorial courts. In the latter part of his life he removed to Red Wing, where he died January 22, 1863.

Andrew G. Chatfield, who succeeded David Cooper as Associate Justice of the Supreme Court, was born in Butternuts, Otsego County, New York, January 23, 1810. In 1838 he was a member of the New York Assembly, and ten years later removed to Racine, Wisconsin, where he was elected county judge. While a resident of that place he received his appointment as Associate Justice of the Supreme Court of Minnesota Territory, and on his removal to the new scene of his duty located in Scott County, where he laid out the town of Belle Plaine. After being on the Territorial Supreme Bench four years he resumed the practice of law. January, 1871, he was elected judge of the Eighth Judicial District, which position he held until his death, which occurred October 3, 1875. Judge Chatfield was a specimen of "a fine American gentleman all of the olden time." A judge of the finest purity of character, very sincere, very honest, and very conscientious in his convictions of right.

Moses Sherburne, who succeeded Bradley B. Meeker as Associate Justice of the Supreme Court, was of English descent. He was born on January 25, 1808, at Mount Vernon, Kennebec County, Maine. Here he passed his boyhood days, attending the public schools and an academy at China, Maine. After his graduation he studied law and upon his admission to the bar took up his residence at Phillips, Maine, where he resided until his removal to Minnesota. He early became identified with the political and military life of his native State, serving in both houses of the Legislature; he also held many judicial appointments and was major general of the eighth division of Maine's militia. In 1850 he was nominated for Congress; though running ahead of his ticket he was defeated in a strong Whig district. His eloquent and able speeches delivered during the campaign attracted the attention and friendship of Franklin Pierce. After his retirement from the judicial bench he resumed private practice of the law at St. Paul, in which he was engaged until his death at Orono, March 29, 1868, whither he had gone a short time previous to practice law and engage in various business enterprises. Judge Sherburne was cast in the mold of a grand man. He was physically large and intellectually great. He sat on the bench a real judge—calm, cool, decided, clear-headed, dignified.

Daniel H. Dustin, who succeeded Henry L. Moss, as district attorney, was a native of New York, and a lawyer of good ability. In perfect health he attended a celebration on the Fourth of July, 1854, and six days after he was dead, from what seemed an attack of cholera.

The vacancy caused by the death of Colonel Dustin was filled by the appointment of John E. Warren. He was a native of Troy, New York, and came to St. Paul in 1852 and the following year formed a law partnership with Joseph Wakefield. He was elected mayor of St. Paul on the Democratic ticket in 1863. He was a man of culture and literary attainments, an extensive traveler and was author of two books of foreign travels. He removed from St. Paul to Chicago and died at Brussels, Belgium, July 6, 1896.

Governor Gorman arrived at St. Paul May 13, 1853, and assumed his duties on the fifteenth. He announced the following appointments; Socrates Nelson, as Auditor, to succeed Abraham VanVoorhees, who had filled the office since November 30, 1852. Lafayette Emmett, vice Lorenzo A. Babcock, Attorney General; George W. Prescott, Superintendent of Public Education; Treasurer, Roswell P. Russell, who filled the position until July 2, 1853, when he was succeeded by George W. Prescott. S. B. Lowry, Adjutant General, Robert A. Smith, State Librarian and private secretary. Andrew J. Whitney, Clerk of the Supreme Court. The executive chamber of the new capitol was, on July 21, first occupied by Governor Gorman. The election for delegate to Congress in 1853 was confined to a straight party fight, the Democrats and administration party against the Whigs. The total vote was for Henry M. Rice, (Democrat), 2,149, Alexander Wilkin, (Whig), 696.

FIFTH TERRITORIAL LEGISLATURE.

The fifth session of the Territorial Legislature began January 4, 1854, in the new capitol. In the Council S. Baldwin Olmstead was elected President. The first district was represented by John E. Mower and Albert Stimson. The second district by William P. Murray and Isaac Van Etten. The latter was a native of Orange County, New York, studied law and was admitted to the bar in 1851, and at once came to Minnesota. He was afterwards a member of the first State Senate, and died at St. Paul in 1873.

The member from the third district was Charles T. Stearns, a native of Pittsfield, Massachusetts. He came to St. Anthony in 1849, and removed to St. Cloud in 1856. After the Civil War he lived in Mobile, Alabama, and New Orleans, and died in the latter city in 1898, being at the time over ninety years of age. The county of Stearns was named for him.

Wliliam Freeborn, the member from the fourth district, came to St. Paul in 1848, and became a member of the city council. In 1853 he became one of the founders of Red Wing,

to which he removed, having large interests at that locality and also at Cannon Falls. In 1862 he emigrated to the Rocky Mountains and finally settled in California. Freeborn County was named for him.

The fifth district was represented by S. Baldwin Olmstead, the sixth by Joseph R. Brown, and the seventh by Norman W. Kittson.

The House organized and elected Nathan C. D. Taylor Speaker. The presiding officer was a native of New Hampshire and removed to Alton, Illinois, in 1832. He came to St. Croix Falls in 1846 and was one of the original pre-emptors of the site of Taylor's Falls. He was engaged in mercantile business for several years. He never married and died in 1887. His colleagues from the first district were John Fisher, Robert Watson, and William McKusick. Mr. Fisher was a Canadian, who settled in Stillwater in 1847 and was the second mayor of that city. He removed to Wisconsin in 1887 and died in that State in 1901. Mr. Watson was a native of Scotland and came to America when he was twelve years old, locating in Minnesota in 1850. He was a farmer at Cottage Grove and later resided at Northfield.

In the second district William Noot had been re-elected. The other representatives were William A. Davis, Louis Bartlett, Levi Sloan, Democrats, and Dr. John H. Day, a Whig. Mr. Sloan was born in New York and came to St. Paul in the spring of 1849. He was among the first to open a grocery store in that city, and also had a trading post at Crow Wing. He died November 22, 1854.

Cephas Gardner and Henry S. Plummer represented the third district. Mr. Plummer was a native of New Hampshire and became a resident of St. Anthony in 1852; afterwards he removed to Anoka where he died October 14, 1903.

The representative from the fourth district was O. M. Lord and the fifth district was represented by R. M. Richardson and Peter Roy.

Dakota County sent Hezekiah Fletcher and William H. Nobles. The latter was born in New York in 1816, and was a

machinist by trade. He came to St. Croix Falls in 1841, and assisted in putting up and setting in position the first mill there. He subsequently removed to Willow River, since called Hudson, Wisconsin, where he built the first frame house in the place. He lived at Stillwater from 1843 to 1848 and came to St. Paul in the latter year. He opened the first wagonmaker's shop in St. Paul and made the first wagon ever made in Minnesota. In 1857, under appointment from the Government, he laid out a wagon road through the southwestern part of Minnesota towards the Pacific. In recognition of the service Nobles County was named for him. He discovered one of the best passes through the Rocky Mountains. During the War of the Rebellion he was lieutenant colonel of the Seventy-ninth New York Volunteers; also cotton collector for the Government in the South, United States revenue officer, and master of transportation of troops. His health became impaired at the conclusion of the war and it continued to fail. He died in the hospital at St. Paul, December 28, 1876.

Pembina County was represented by Joseph Rolette and Donald G. Morrison.

Governor Gorman delivered his message to the Legislature January 10, 1854. The first part was devoted to stating the progress made by Minnesota Territory. He recommended that Congress should be requested to amend the pre-emption laws to the effect that honest toil should not be robbed by speculation. The lumbering interests of the Territory should, in his opinion, be fostered and encouraged and be relieved of the unfavorable legislation of the Federal Government. He suggested the organization of independent companies of volunteer militia. The concluding portion of the message was devoted to the educational matters of the Territory.

The Legislature adjourned March 4, 1854. There was but little important legislation enacted. The cities of St. Paul and Stillwater were incorporated. The counties of Houston and Winona were organized. The exciting bill of the session was the act incorporating the Minnesota and Northwestern Railway Company, which is fully referred to in the articles on transportation

in another portion of this work. The appointments of Charles E. Leonard as Treasurer and Julius Georgii as Auditor were confirmed.

With the advent of a new Governor a different arrangement of political parties in the Territory followed. The year 1854 witnessed entirely new coalitions. Those who had previously stood shoulder to shoulder were arraigned on opposite sides. There was on one side the Ramsey, Rice and Robertson followers, on the other those of Sibley and Gorman.

SIXTH TERRITORIAL LEGISLATURE.

The sixth session of the Legislature convened January 3, 1855. The *Minnesota Daily Pioneer* of that date describes the personnel of the members as follows: "We have never seen a better looking set of Legislators in attendance upon a Legislature, either of the Territory or of a State. They appear like honest men—men who have come hither to reflect the will of their constituents, and we doubt not their labors will result in credit to themselves and honor to those that have sent them here." A permanent organization was not effected until January 9, when S. Baldwin Olmstead was elected President of the Council and James S. Norris, Speaker of the House. The Speaker's colleagues from the first district were James B. Dixon, William Willim, and Samuel M. Register.

Mr. Willim was a native of England. He emigrated to America in 1838 and came to Stillwater in 1844. He was by trade a stone mason and plasterer. He was the first naturalized citizen within the limits of Minnesota, his papers bearing the date of June 18, 1848.

Mr. Register was of French descent and a native of Dover, Delaware. He came to Stillwater in 1850 and engaged actively in business, dealing in lumber and pine lands and engaged in piloting, steamboating and farming.

In the second district William A. Davis was re-elected. His associates were Daniel F. Brawley, Charles S. Cave, Reuben Haus, and Joseph LeMay. Mr. Brawley opened and worked the first

brick yard in the Territory and came to St. Paul in the spring of 1849. He was also the building commissioner for the erection of the first capitol building. Mr. Cave was afterwards postmaster of St. Paul and finally removed to Missouri. Reuben Haus, by trade a carpenter, came to St. Paul in 1852 from Pennsylvania, of which State he was a native. He was an architect and builder in the early days of St. Paul, being contractor for the old court house and capitol buildings and the Winslow House, and he built additions to the Presbyterian church and the American House. Mr. LeMay was a little "pussy" Frenchman, a justice of the peace, and an earnest Democrat. He afterwards removed to Pembina.

From the third district came A. M. Fridley, mentioned elsewhere, and Daniel Stanchfield. The latter was a native of Maine and came to Minnesota in the summer of 1847. He became engaged in explorations of the Territory for pine lands and also in logging and lumbering.

The Representative from the fourth district was Clark W. Thompson, a Canadian, who came to Minnesota in 1853 and engaged in milling in Houston County until 1861. He was a member of the Republican wing of the Constitutional Convention. He was Superintendent of Indian Affairs for the Northern superintendency from 1861 to 1865 and afterwards engaged in railroad construction. He died in 1885, on his farm at Wells.

James Beatty and Frederick Andros represented the fifth district. The latter was a native of Massachusetts. He came to Northeastern Iowa in 1834 as Government physician to the Winnebago Indians. He removed with them in 1848 to Long Prairie. Soon after the adjournment of the Legislature he removed from the State but returned to Minneapolis a short time before his death, which occurred in 1895.

The sixth district was represented by Henry H. Sibley and D. M. Hanson. The latter was a native of Maine. He settled in Minneapolis in 1853 and died at that place a few years later.

The Representatives from the seventh district were Joseph Rolette and Charles Grant.

Governor Gorman in his address to the Legislature stated that during the life of the Territory twenty counties had been laid out and the population had increased from 5,000 to 30,000. The agricultural, mineral and manufacturing resources were so abundant that Minnesota needed no utopian pictures to be drawn to entice to the Territory either population, capital, or commerce. He suggested the appointment of a resident emigration agent in the city of New York whose duties would be to give correct information of the facilities and prospects the Territory offered to homeseekers. He also favored the issuing of a pamphlet showing Minnesota's advantages and desirability to those seeking to make new and permanent homes. The railroad matters of the Territory formed a large portion of his message.

The Legislature adjourned March 3, 1855. The most important act of legislation was the passing over the Governor's veto of the bill amending the act incorporating the Minnesota and Northwestern Railroad Company.

A new apportionment act was passed increasing the membership of the Council to fifteen members and the House to thirty-eight members. The 1st district consisted of Washington, Itasca, Chisago, Superior and Doty Counties. 2, precincts of St. Paul and Little Canada; 3, precincts of the Falls of St. Anthony; 4, Goodhue, Dodge and Sherburne Counties; 5, Benton, Cass, Todd, Stearns and Wright Counties; 6, Dakota, Scott and Rice Counties, 7, Pembina County; 8, Houston, Fillmore and Mower Counties; 9, Winona, Olmstead and Wabasha Counties; 10, Le Sueur, Steele, Faribault, Blue Earth, Brown, Nicollet, Sibley Pierce and Renville Counties; 11, Hennepin, (west), Carver and Davis Counties. No Council district was to be assigned less than one member of the Council and two members of the House.

The counties of Brown, Carver, Dodge, Faribault, Freeborn, Olmsted, Mower, Renville, Steele, Stearns and Wright were organized. The name of Superior County was changed to St. Louis, and of Doty County to Newton, afterwards to Lake County their organization was not perfected until afterwards. The city of St. Anthony and the town of Henderson were incorporated.

By a new act the license for the sale of spirituous liquors was increased to not less than $75 and not more than $200. The party obtaining the license was required to give a bond, with two or more sureties, in the sum of $5,000. The act had also the same restrictions in reference to sale of liquor on Sundays, gambling and restraining disorderly conduct.

The Boston and Minnesota Mining Company, with a capital of $400.000, and the Pittsburg and Minnesota Mining Company, also with a capital stock of $400,000, were incorporated.

By another act Darwin E. Moulton and L. P. Wilson were given the exclusive right for fifteen years (excepting the rights granted to railroad companies) to make and put into operation a line of telegraph from St. Paul to St. Anthony and Minneapolis, thence to Shakopee, Henderson, Le Sueur, and Traverse des Sioux.

A curious feature of early Territorial laws was the law authorizing the imprisonment for debt. (See Section 2, Article 14 of chapter 16 Laws of 1849). Chapter ninety of the Revised Stautes, 1851, gave some relief for debtors confined in jail under the foregoing law. Such persons might be discharged after ten days, confinement by giving notice in writing to the creditor, that application would be made to two justices of the peace for relief. He was then to show his inability to pay the execution and the justices investigating and being convinced that he was unable to satisfy the judgment he was to be discharged from custody and not be liable again to arrest or imprisonment for the same debt. If the debtor undertook to satisfy the execution he was to pay all charges for his support while in prison and the court charges and costs. The Legislature of 1855 abolished the law of imprisonment for debt.

February 16, S. Baldwin Olmstead resigned as President of the Council and William P. Murray was elected to fill the vacancy.

ORGANIZATION OF THE REPUBLICAN PARTY.

The question of the time and place of the first organization of the Republican party, and the author of its name, have often

been matters of dispute. It is now, however, generally conceded that a convention of anti-slavery men held at Jackson, Michigan, in June, 1854, was the first State representative body to adopt the name Republican, and that the name was suggested by Horace Greeley. A few weeks later the name was adopted by State conventions in Maine, Ohio, Indiana, Illinois, Wisconsin, and Iowa. The new party won its first national triumph in 1854. In a single year it had carried a majority of the Northern States, and secured a controlling interest in the Lower House of Congress. In the Thirty-fourth Congress, which convened in December, 1855, it secured the election of Nathaniel P. Banks, of Massachusetts, as Speaker of the House, although he had been elected to that body as an American or "Know Nothing." A few years later, or in 1860, it elected its candidate for President, and since that time has been in control of the national administration of the country for practically forty years.

On March 29 and 30, 1855, about 200 persons, strongly anti-slavery in their belief, some of them former Democrats, while others had affiliated with the Whigs, met at St. Anthony and organized the Republican party in Minnesota. The meeting was held in response to a call signed by William R. Marshall, Alexander Ramsey, John W. North and others, all formerly Whigs. The gathering was called to order by John W. North. After a prayer by Reverend C. G. Ames and singing the "Marseillaise" a permanent organization was affected. William R. Marshall was chosen president; Nathaniel McLean, Asa Keith, A. P. Lane, Porter Nutting, Eli Pettijohn and R. P. Upton, vice presidents; H. P. Pratt and J. F. Bradley secretaries.

Resolutions were adopted demanding the abolition of slavery in the District of Columbia and the Territories; also the repeal of the Fugitive Slave law. Congress was declared to have the right, and it was its duty, to prohibit forever slavery in all new States in their acts of admission into the Union. The repeal of the Missouri Compromise was condemned as a violation of the plighted faith of the South. The resolutions further favored a prohibitory liquor law, demanded free land for settlers and a reduction of postage rates. They closed with the commendable

sentiment: "In administering the Government, Man and Morals first; interests of property afterwards."

At the meeting in St. Anthony a resolution was passed for the holding of a general Territorial convention at St. Paul on July 25, 1855. Reverend C. G. Ames, of Minneapolis, was deputized to prepare an address to the people of Minnesota. This was first published on April 11, 1855, and was headed: "Circular Address of the Territorial Republican Convention to the People of Minnesota." It set forth the political situation of the day, and referred to the Kansas-Nebraska Act as: "Throwing open to slavery the immense region long consecrated to freedom by a solemn act of government." It dwelt upon the corruption of State and national politics. It favored co-operation between the anti-slavery sentiment and the temperance sentiment. The address wound up as follows:

"Prompted by these convictions and appealing to heaven for the rectitude of our intentions, we, this day, organize the Republican party of Minnesota."

FIRST REPUBLICAN TERRITORIAL CONVENTION.

The first regular or formal Republican convention met at St. Paul, July 25, 1855. Credentials were presented of 123 delegates, and of this number ninety-four were in attendance. Of the sixteen delegates selected from Freeborn and Mower Counties but one was present; there were also absent delegates from Scott and Dakota Counties. A permanent organization was effected, and Warren Bristol, of Goodhue County, was chosen chairman, and David Rohrer, of St. Paul, secretary. A committee on resolutions was appointed and eight resolutions reported were adopted.

The resolution re-affirmed the purpose of the Republicans of the Territory to array the moral and political powers of Minnesota on the side of freedom and to aid in wielding the whole constitutional force of the Federal Government whenever and wherever against the existence of slavery; that the continuance of slavery was a national curse for which every citizen was responsible "so far as he refuses to exert his influence for its removal." They demanded

the restoration of Kansas and Nebraska, and all other Territories to freedom, and solemly declared that the Republicans of Minnesota would never consent to the acquisition of another foot of slave territory, nor the admission of another slave State into the Union. They believed the Fugitive Slave law to be unconstitutional and demanded its unconditional repeal.

The traffic in intoxicating beverages was regarded as a public evil, and the members of the convention agreed in the coming election to use all their endeavors to secure a Legislature that would exact a constitutional law to suppress it, and to fill the offices with men who would enforce the laws. There was the usual resolution asking the citizens of the Territory to help and assist them in their undertaking. A resolution was offered that no man should be entitled to the suffrages of the Republican party as delegate for Congress "unless he be a practical Maine Law Man," but it was promptly tabled. Morton S. Wilkinson and Alexander Ramsey had been suggested as nominees for delegate to Congress but letters were read to the convention from both these gentlemen declining the nomination. On the only ballot taken William R. Marshall received fifty-two votes; Alexander Ramsey thirty-six; David Olmsted 4; and George A. Nourse one. William R. Marshall was then declared to be the unanimous choice of the convention for delegate to Congress.

The meeting at St. Anthony and the convention at St. Paul had been governed by a set of men the majority of whom were very radical and might be called purists; they attempted to build a political party upon the lines of a church organization. The plank in their platform favoring a Maine Liquor Law they thought would be acceptable to a majority of the people. This was the first and last move ever made in a Republican State convention for a general prohibitory liquor law in Minnesota.

The Democratic Territorial convention met on the afternoon of July 25, 1855, at the Court House in St. Paul, and was called to order by George L. Becker. A temporary organization was effected with a good deal of confusion, and a committee of credentials was appointed. The members named for this commit-

tee gave great disatisfaction to a minority of the convention, as they were not represented by a single member. The convention then adjourned for an hour, and upon its reassembling the report of the committee on credentials was adopted and a committee was appointed to seat the delegates and to exclude all persons not delegates from the room.

A permanent organization was then effected, M. W. Irwin being chosen chairman, and William B. Gere secretary. A motion was then made to go into nominations for delegate to Congress. Mr. Van Etten of St. Paul moved to amend the motion by introducing three resolutions. 1. Endorsing the Baltimore Platform, and the administration of Frank Pierce. 2. Endorsing the administration of Governor Gorman. 3. Requiring a two-thirds vote to nominate any person as candidate for delegate. These resolutions were received with shouts of derision and hisses, and tabled as soon as order could be restored. The confusion then became so great that no business could be transacted. Finally a resolution was offered endorsing Henry M. Rice and nominating him for delegate to Congress, to be supported by the Democratic party at the next election.

This resolution was received by the majority of the delegates with much enthusiasm, but Van Etten, Dow, Whitlock and others, after vainly trying to be heard, withdrew from the convention, leaving the majority in undisputed possession of the room. After quiet was restored Henry M. Rice was declared duly nominated for delegate to Congress.

The seceding delegates from the Democratic convention proceeded to the capitol, where after being addressed by Governor Gorman, Sibley, Rosser and others, unanimously nominated David Olmsted for delegate to Congress. They also denounced the pro-slavery ideas of the National Democrats, and the Maine Liquor Law of the Republicans.

The election took place October 9, 1855, and was a triangular contest, there being three candidates for delegate in the field. There were in some counties three county tickets to match. The contest was animated and resulted in the election of Mr. Rice, who received a handsome plurality, but not a majority of

the votes cast. The official vote being Rice 3,705, Marshall, 2,493, Olmsted 1,746.

SEVENTH TERRITORIAL LEGISLATURE.

The Seventh Legislature assembled January 2, 1856. In accordance with the new apportionment law the Council consisted of fifteen members, and William Freeborn was the only member that had been re-elected. There were, however, several members who had had previous legislative experience. John D. Ludden had been Speaker of the House, Henry N. Setzer and Henry Rollins were members of the First Legislature; Joseph Rolette had been a member of the House for the four preceding Legislatures; Clark W. Thompson and D. M. Hanson were members of the preceding House.

The new members were John B. Brisbin, of St. Paul, Lewis Stone a farmer of Benton County—a native of New York, where he was born in 1796; Henry G. a son of Alexis Bailly, a merchant of Hastings, a native Minnesotian, then in his twenty-seventh year; his colleague was Samuel Dooley, a Kentuckian, then fifty-seven years of age, a farmer of Scott County. One of the Councilors from the eighth district was Benjamin F. Tillotson, a farmer of Fillmore County, who was born in Ohio in 1830. From the ninth district came St. A. D. Balcombe, of Winona, and William D. Lowry, from Rochester, both farmers. The former afterwards presided over the Republican wing of the Constitutional Convention. The tenth district was represented by Charles E. Flandrau, then a resident of Nicollet County.

The Council organized and elected John B. Brisbin of St. Paul, President. The presiding officer was born at Schuylerville, New York, January 10, 1827. His father was a [illegible] minent physician. The family were of Norman-French pedigree. Young Brisbin was educated at Troy and Schuylerville in New York and entered Yale College in 1842. He graduated with high honors, with the reputation of being one of the finest writers and speakers in that institution, taking the Townsend prize for the best essay in the senior class. He was admitted to the bar in

1849, and practiced at Schuylerville until 1853, when he removed to St. Paul. On arrival in that city he took an active part in the ranks of the Democratic party. In 1857 he was elected mayor of the city by a unanimous vote. Mr. Brisbin ranked high as a lawyer, especially as an advocate at the bar; as a political speaker he was fluent, cool, argumentative, historical and interesting. He had a very dignified appearance and usually dressed in a swallowtail blue coat with brass buttons, and a high standing collar, and a broad brim, low crown slouch hat. When he retired from the active practice of the law he donated his extensive law library to the Ramsey County Bar Association. He died at St. Paul March 22, 1898.

The House, consisting of thirty-eight members, organized and elected Charles Gardner, a native of New York, a member of the legal fraternity, residing in Goodhue County, Speaker. The following had been members of preceding Legislatures: James S. Norris, N. C. D. Taylor, William H. Nobles, Raben Haus, B. W. Lott, S. W. Farnham, Parsons K. Johnson, William Sturges, and Charles Grant, the last named an Indian trader at St. Joseph, in Pembina County. The new members that were afterwards to become prominently identified with the political affairs of the State were, Henry A. Jackman, Stillwater; J. B. Hubbell, of Mantorville; T. J. Galbraith, of Shakopee, and C. F. Buck, of Winona.

Abraham Van Voorhees, a member from the first district, was born in Washington County, Pennsylvania, December 2, 1793. In 1832 he removed to Athens County, Ohio, where for five years he devoted himself to mechanical pursuits and the study of the sciences. He removed to Athens in 1837 and became editor and proprietor of the *Hocking Valley Gazette,* and retained the editorship six years. While living in Ohio he served as county treasurer, county surveyor, and in both houses of the State Legislature. In 1849 he was appointed by President Taylor, register of the land office at Stillwater; this position he held until 1853. Governor Ramsey in 1852 appointed him Territorial Auditor. In politics he was a Whig and Republican. He died at his home in Stillwater, January 24, 1879.

The new members from the St. Paul district were Ferdinand Knauft, and Ross Wilkinson. Mr. Knauft was a native of Prussia, a carpenter by trade, who came to St. Paul in 1850. He afterwards became interested in the grocery and hardware trade. He accumulated a large real estate property. Mr. Wilkinson was a farmer, a native of Pennsylvania.

One of the Representatives from St. Anthony was Charles W. Le Boutillier, a native of the Isle of Jersey. He was one of the original Republicans of St. Anthony. At the breaking out of the War of the Rebellion he was attached to the First Minnesota Infantry as assistant surgeon. He was made a prisoner by the Confederates at the battle of Bull Run, and having been exchanged he was appointed surgeon of the Ninth Minnesota Infantry, and died at St. Peter April 3, 1863.

Two members of the legal fraternity were J. M. Holland, of Shakopee and Thomas B. Hunt, Chaska. The latter was the first register of deeds of Carver County, clerk of the first court held in that county, and the first postmaster of Chaska.

William B. Gere, of Chatfield, was one of the first settlers of that town and was the first register of deeds of Fillmore County. At the breaking out of the Civil War he enlisted as a private in the Fifth Minnesota Infantry, and was mustered out of service as lieutenant colonel of that regiment.

In his annual address to the Legislature Governor Gorman stated that according to the census taken in 1855 the population of Minnesota had increased 114 per cent, there being fully 75,000 souls in the Territory. He deemed it a source of satisfaction that while the Indian tribes in the neighboring Territories were showing signs of hostilities, and in some instances actual and open warfare upon the white population, Minnesota was secured from such dangers. The three tribes within her boundaries, he said, were then, and ever had been, peaceful and quiet.

Railroad matters of the Territory received the attention of the Governor, of which mention has been made elsewhere. He reported the appointment of Eugene Burnard as commissioner of emigration; also that an office for the purpose of informing settlers of the desirability of Minnesota for homeseekers had been opened in New York City.

He estimated that the taxable property of the Territory amounted to $20,000,000. While there had been no general organization of the militia, there were in the Territory about 12,000 persons between the ages of eighteen and forty-five years, capable of bearing arms. There were 1,900 stands of arms due the Territory from the general government, of which 1,000 were to be shipped by the first boats in the spring.

He recommended that a small appropriation be made to the Minnesota Historical Society in recognition of its laudable efforts in perpetuating the history of the Territory. He also advocated that, to prevent fraud and imposition upon the law making power, and indeed upon the whole country, there should be but one subject matter in each legislative bill and that it should be clearly indicated in the title. Without this precaution objectionable laws might be enacted, entirely escaping the attention of the most watchful members of the Legislature. The latter part of his message was devoted to national affairs.

The Legislature adjourned March 1, 1856. In the review of the work of the Legislature mention is made of the following: The salaries of the auditor, treasurer, and superintendent of schools was increased to $500 which formerly had been $100. A general act was passed authorizing the formation of corporations for mining, smelting or manufacturing iron, copper, coal, silver, or other ores or minerals. Minneapolis was established as a town and organized in 1858. An act was passed detaching St. Anthony from Ramsey County and adding it to Hennepin County.

The Territorial Emigration Society was incorporated with a Capital stock of $3,000, being empowered to establish offices and appoint such agents as the society deemed necessary. The society was to maintain an emigration office at St. Paul, and to establish an agency in New York City. A commissioner of emigration was created, to receive a salary of $1,500, with a contingent expense fund of $1,000. The counties of McLeod, Meeker, Pine, and Sherburne were organized, Lake and St. Louis were established and the organization of the former was perfected in 1866, and that of the latter in 1873.

The Minnesota Salt Company was incorporated with a capital stock not to exceed $500,000, with rights and privileges of mining, evaporating, refining, or manufacturing salt, or reducing any minerals, rocks, or earths in which salt was contained, and to secure such tracts of land that were for sale, or should be thereafter for sale, or such lake, river, creek or other stream, or body of waters, as the company might lawfully secure in the Territory of Minnesota, or any State or States that might be thereafter formed therefrom.

An important act of the Legislature, which was to cause considerable trouble and anxiety to the citizens of St. Paul, and of Eastern Minnesota, was a bill incorporating the St. Peter Company. This company had for its incorporators A. F. Howes, Henry A. Swift, George Hezlep, T. B. Winston, H. L. Moss, William L. Ames, George W. Farrington, William B. Dodd, and Joseph Dailley. The capital stock was $100,000 and the company was empowered to erect in the counties of Nicollet and Le Sueur buildings, mills, and other structures, together with all machinery necessary for the manufacturing of lumber, flour and other articles adapted to the wants of the country.

As an appendix to the published *House Journal* of 1856, in accordance with the joint resolution of the Legislature, is an article which is entitled "Annals of the Minnesota Historical Society." This article is a history of the Minnesota country from its occupation by the aborigines to the close of the "Red Bird War." It was prepared under the direction of the Reverend Edward D. Neill. In a concluding note the author says: "With the chapter on Fort Snelling it is necessary to conclude this document. At a future day the history of Minnesota from its occupancy by the military in 1819, until the organization of the Territory in 1849, may be published." This pamphlet was the nucleus of the numerous editions of Doctor Neill's "History of Minnesota."

EIGHTH TERRITORIAL LEGISLATURE.

During the session of the Legislature in 1856 the division of the Territory by an east and west line, a new Territory north of

the forty-sixth degree of latitude were the subjects of much discussion, but no definite disposition was made of the subject. In the summer of that year the question of a State organization was for the first time formally agitated in a series of newspaper articles, which for the most part were from the pen of John E. Warren, of St. Paul.

The Legislature convened January 7, 1857, and John B. Brisbin, of St. Paul, was elected President of the Council, and Joseph W. Furber, of Cottage Grove, Speaker of the House.

There were changes in the membership of the Council. In the third district, W. W. Wales was elected to fill the vacancy caused by the resignation of John Rollins. In the tenth district P. P. Humphrey had been elected to succeed Charles E. Flandrau, and in the eleventh district, where a vacancy occurred, owing to the death of D. M. Hanson, Joel B. Bassett had been elected.

William W. Wales was a native of North Carolina, and came to St. Anthony in 1850. He was a paper-hanger by trade, but afterwards kept a book store. During the War of the Rebellion he was employed in the Freedmen's Bureau in Mississippi. In his later life he was engaged in missionary work in North Carolina.

Philander P. Humphrey was a native of Torrington, Connecticut. He graduated as a physician and after practicing in New England removed to Red Wing in 1852. He was stationed at the time of the Sioux outbreak at the Lower Sioux Agency as the resident physician. He and his wife and two children were murdered by the Indians. His oldest son, twelve years of age, escaped.

Joel B. Bassett was born in New Hampshire and came to St. Paul in 1849. He went to St. Anthony the following year, and pre-empted land where a part of Minneapolis now stands. He was one of the original Republicans of St. Anthony, and the first judge of probate of Hennepin County. He was appointed by President Johnson Indian agent in Minnesota and held that office from 1865 to 1869. He was also mayor of St. Anthony in 1857.

In the House there were many familiar faces besides the Speaker. From the first district came Lucas K. Stannard, Mahlon Black, and Elam Greely; from the second district William P. Murray and Justus C. Ramsey; from the eighth district William B. Gere, and M. G. Thompson, and from the tenth district Joseph R. Brown—all experienced in legislative matters.

Among those who afterwards became prominently identified with the political history of the State were William Branch, Jonathan Chase, W. W. Kingsbury, C. Powell Adams, John M. Berry and Francis Baasen.

Jonathan Chase, one of the members from the St. Anthony district, was a native of Maine. He came to St. Anthony in 1855, and engaged in lumbering on the Rum River. He was afterwards interested in mills at Gull River. He died at Minneapolis, February 2, 1904, in which city he had resided for many years.

Francis Baasen, one of the Representatives from the tenth district, was born in Luxemburg, Germany. He received an excellent education in his native country, and at the age of nineteen emigrated to America. He resided in Milwaukee until 1856, when he located at New Ulm. He opened the first law office in that place. He was the first secretary of state after the admission of Minnesota into the Union. During the Civil War he enlisted as a private in the First Minnesota Infantry, serving nearly three years, and was mustered out of the service as quartermaster of the regiment. From 1870 to 1871 he resided in Nicollet County. He died at the Soldiers' Home, in Minneapolis, January 10, 1901.

In his last message to the Legislature Governor Gorman advocated the transition of Minnesota from a Territory to a State. He argued that the influence of two Senators and perhaps three Representatives in Congress would secure more favorable legislation for the people than when they were represented only by a delegate. The population of the Territory he estimated was practically 180,000, while the taxable property amounted to between $30,000,000 and $35,000,000.

Some of the advantages of statehood were alluded to. While Minnesota remained a Territory, the school lands within her boundary must remain idle for want of power to appropriate them where needed for educational purposes. The swamp and overflowed lands could not be claimed for State use until the Territory was admitted into the Union as a State. Besides this, on admission into the Union, the State would receive from 500,000 to 600,000 acres of land from the general government for the purpose of internal improvements, and would also be entitled to ten per cent of the sale of public land in the State for the same purpose.

In his opinion speedy action should be taken towards forming a State government and he suggested the calling of a convention to frame a constitution.

The Legislature adjourned March 7, 1857. During the session Isanti and Waseca Counties were organized, and the organization of Freeborn, Itasca and Pine Counties were consummated. Red Wing, Hastings and Winona were incorporated as cities; Cannon Falls, Chatfield, Geneva, Clearwater, East Red Wing, La Crescent, New Ulm, Weston, Union City, and Winnebago City were made towns.

In the early days of the session an attempt was made to change radically the terms of the bill then pending in Congress for the admission of Minnesota as a State. This bill, introduced by Henry M. Rice, defined the western boundary of the proposed State about as it now runs, although not exactly. His bill fixed the Big Sioux River as a part of the western boundary, instead of the present line running due south from Big Stone Lake to the northern boundary of Iowa.

A memorial to Congress, introduced into the Minnesota Legislature on January 19, 1857, was passed by the House on January 20. by a vote of twenty-five to ten, and the Council on January 22, by a vote of eleven to four, (the four being Freeborn, Ludden, Setzer, and President Brisbin), protesting against the division of the Territory by the line proposed in the pending bill, and asking for another bill to authorize the people to frame a constitution, with such Territorial limits and boundaries as

the people represented in the convention may prescribe, preparatory to admission in the Union as a State.

The scheme was to divide the Territory on the line of the forty-sixth degree of latitude, west of the Wisconsin boundary to the Missouri River. This line would have passed near Hinckley, Little Falls, Elbow Lake, and about midway between Breckenridge and Lake Traverse, and just north of the line dividing North and South Dakota. The country south of this line was to be the State of Minnesota, and that north of it the Territory of Superior.

The memorial alluded to was passed by the Minnesota Legislature in January, was duly submitted to Congress, and on February 21, 1857, Senator Jones, of Iowa, in the Senate, offered an amendment to the bill then under discussion, to authorize the people of the Territory to decide the question whether the State shall embrace all the territory south of the forty-sixth degree of latitude. The amendment was not adopted, and the bill introduced by Delegate Rice was passed. This terminated the agitation for the division of the Territory on an east and west line, through the matter was unsuccessfully introduced into both wings of the Constitutional Convention.

The division of the Territory was an attempt on the part of the promoters of the St. Peter Company, incorporated at the legislative session of 1856, to place St. Paul geographically as a capital so there would be a demand for a location more westerly and centrally situated. Though the influence of this same company, who had by current reports interested some of the Territorial officials, including the Governor himself, and several members of the Legislature, in their speculation, a bill for the removal of the capital to St. Peter was introduced on February 5 in the House of Representatives by O. A. Thomas, of Steele County, but was never heard of thereafter.

On February 6 W. D. Lowry, of Rochester, introduced a bill in the Council for the removal of the capital to St. Peter. The proceedings in that body became of the most exciting and dramatic character. The fight for the bill was led by St. A. D. Balcombe, of Winona, and it was opposed by Henry N. Setzer

of Taylor's Falls, William Freeborn of Red Wing, John D. Ludden of Marine Mills, Joseph Rolette of Pembina, Benjamin F. Tillotson of Richland, and the presiding officer, John B. Brisbin, of St. Paul. Notwithstanding the interposition of all kinds of debating motions the bill progressed through the Council and was passed by a veto of eight ayes to seven noes on February 12.

The House acted with great promptness; the bill was read the first and second time on the sixteenth, and on the following day came up for its third reading. Its opponents, led by William P. Murray, of St. Paul, sought to prevent a vote by filibustering, but the postponement was brief, and the bill passed the House on the eighteenth by a vote of twenty to seventeen.

The bill was then sent back to the Council to the enrolled. The chairman of the committee on enrolled bills was Joseph Rolette, of Pembina, and the original bill and the enrolled copy were placed in his hands February 27. The next day Mr. Rolette was not in his seat. St. A. D. Balcombe promptly moved resolutions calling on Rolette to report the removal bill forthwith, and if he failed to do so, that the next member of the committee, (Mr. Wales) be ordered to procure another enrolled copy and report the same forthwith.

The resolutions were read by Mr. Balcombe before they were placed in the hands of the secretary, and he at once moved the previous question on their adoption. In an unguarded moment, the capital removers consented to a motion made by Mr. Setzer for a call of the Council. A roll being taken a full Council, with the exception of Mr. Rolette, was found to be present, and John N. Lamb, sergeant at arms, was sent out to obtain the missing member. In Legislative proceedings, when there is a call pending, no other business can be transacted unless with a unanimous consent, save the production of the missing member or members.

The capital removers, who had consented to a call of the Council soon discovered that they were in a trap, and Mr. Balcombe introduced a resolution to dispense with the call. The resolution received nine votes in the affirmative and five in the

negative. The President of the Council announced that the rules required a vote of two-thirds of the members to dispense with the call. In vain did Mr. Balcombe spend a half a day in a mathematical argument to convince the President of the Council that nine is two-thirds of fourteen; the obdurate Mr. Brisbin insisted that two-thirds of 14 is 9 1-3 and that the removers lacked literally two-thirds of a vote—or really one vote—in order to legally suspend the call.

The hours rolled on, and still the Council waited for the sergeant at arms and the absent member. The dinner hour passed and messengers were dispatched to hotels for a supply of food. It became dark, and still patiently the Council waited. Beds and bedding were sent for, and the members camped on the floor of the Council chamber. The Sabbath dawned and the Council was yet under the call. Monday, Tuesday, Wednesday, and Thursday followed with the call in force. The monotony of the session was broken only by the unsuccessful reports of the sergeant at arms to find the delinquent member.

The deadlock was broken after a session of 123 hours at 1 P. M. March 5, by a compromise agreement to adjourn to meet on March 6, the Council still to be under the call.

On the reassembling of the Council the sergeant at arms was ordered with great emphasis to produce Rolette. But the latter failed to appear, and the capital removers finding it useless to remain in continuous session agreed to another adjournment, the call still to be in force. The Council expired by constitutional limitation at midnight on March 7.

In spite of all the circumstances, the removers continued their efforts to transfer the capital and fought to the last. A copy of the bill was procured from the secretary of the Council and presented to Speaker Furber for his certificate that it had passed the House. The Speaker would not so certify, but made the following endorsement: "This bill has been enrolled not from the original bill of the same title, but from what purports, and is alleged, to be a copy of such original bill." The secretary of the Council, L. Smith, certified that the bill was, "A copy of a copy certified by me." When it was presented to President Brisbin

he incontinently refused to sign it, and gave seven reasons for his refusal. These reasons were largely technical, except the fifth, viz.: "I have no evidence which I regard as legitimate that any bill of the contents of the accompanying ever passed the Council."

A short time before the Council adjourned, March 7, William Freeborn, from the committee on enrolled bills, presented a report, signed by himself and Mr. Rolette, in regard to the now famous bill, "Council File No. 62." They said, among things, that the bill—"might have been reported back to the Council before this time, but that after examination of the enrolled copy of said bill by the secretary of the Council, in the presence of the enrolling clerk, and carefully comparing the same, numerous errors in the enrolled copy had been found, and matter had been inserted in the enrolled copy which is not in the enrolled bill. Your committee cannot therefore, report "the said Council Bill No. 62, as correctly enrolled." By the printed record in the journal it appears that Freeborn's report was made long enough before the Council adjourned to admit of the transaction of some business although there are printed accounts, that it was Mr. Rolette, who "offered to make report," after the president had declared the adjournment of the Council.

Because the report charged that there were numerous errors in the bill, that extraneous matter "had been inserted," was Brisbin's chief reason for refusing to sign the copy presented to him. This reason afterwards became most important.

The bill was, however, signed by Governor Gorman and published in the Territorial Laws of 1857. The Governor appointed W. A. Davis of Belle Plaine, M. Grover of St. Charles, and D. A. Secombe of St. Anthony, capitol commissioners, to erect a building at St. Peter. The building was to be of two stories of brick or stone, the lower floor to contain twelve rooms, to be about twenty feet in height. The upper story to contain two rooms 50x60 each, and one room 40x50. Tihs modest building was never erected, but the St. Peter Land Company, assisted by enterprising citizens of St. Peter, did erect a frame building for capitol purposes, which was used for many years as the Nicollet County court house.

June 29, 1857, A. F. Howes, president of the St. Peter Land Company, applied to Judge R. R. Nelson for a mandamus to compel removal of the State offices to St. Peter. July 12 Judge Nelson filed his decision, which, after somewhat elaborate argument, concluded thus: "We are of the opinion, therefore, that there has been no law passed by the Legislative powers of the Territory removing the capital from St. Paul to St. Peter. The application of mandamus is therefore refused." Judge Nelson's opinion seems to have been mainly grounded upon the facts that the bill signed by Governor Gorman was, as the council's secretary certified, "A copy of a copy," and that, as President Brisbin said, there was no "legitimate" evidence that the bill filed was genuine, there having been errors and important changes made in it after it had been engrossed. With Judge Nelson's decision perished all hopes of St. Peter and the land speculators who had sought to make their fortunes by the capital's removal. St. Paul retained her capital rights, which was wholly due to the quick wit of Joseph Rolette and the sagacity of John B. Brisbin and his supporting colleagues of the Council.

There were during the progress of the bill through the Legislative bodies many amusing and interesting incidents. February 9 an amendment to the bill was offered in the Council by Mr. Setzer as follows: "That if any further powers or privileges are required for the benefit of the St. Peter's Company, such powers and privileges are hereby invested in the hands of His Excellency Willis A. Gorman." When the bill was in the House, and there being a little controversy over the title, William Branch, of St. Paul, moved to make the title read, "A bill for the sale of town lots in St. Peter." A resolution was also introduced by Mr. Setzer that there being charges of bribery and corruption against the members of the Council, in voting for a bill to remove the capital to St. Peter, a committee be appointed to investigate the truth of these charges. While temporary presiding officer one morning, he addressed the sergeant at arms saying: "Mr. Lamb, I do not believe you are doing your duty. Go and bring Joe Rolette into this chamber, dead or alive." This of course was comical, as Mr. Setzer was a warm

R. R. Nelson

friend of St. Peter and well knew where Rolette's hiding place was.

Meanwhile the missing, and much desired, Mr. Rolette was snugly hidden in a secluded room in the topmost story of the Fuller House in St. Paul. He was well cared for, and bountifully furnished with food and drink. Quite a number of people knew where he was to be found, but his hiding place was never publicly revealed until the Legislature had adjourned.

Motions were made at various times to strike out St. Peter and insert respectively Belle Plaine, Monticello, Mankato, Shakopee, St. Cloud and Nicollet Island. The latter motion was made in the House February 17 by William P. Murray, of St. Paul. The motion was not probably made for any love of Minneapolis, but for the reason that the members from St. Paul were enraged against the St. Peter crowd, and if St. Paul could not have the capital they preferred to have it in the neighborhood. Mr. Murray's amendment was lost by eighteen for and nineteen against it. The St. Paul members all voted for it, but of the four members of the Minneapolis district and two from the St. Anthony only Asa Keith and William Hayden voted in favor of the amendment. Delano T. Smith was in favor of Nicollet Island, but was absent, owing to sickness, when the vote was taken.

Joseph Rolette, the hero of the hour, and as the late Judge Flandrau said: "Who saved the capital to St. Paul," was of French Canadian descent. His father, Joseph Rolette, was born in Quebec, and educated for the Catholic priesthood. He came to Prairie du Chien in 1804, and was a successful trader with the Indians on the Upper Mississippi. He espoused the cause of the British in the War of 1812, but after the cessation of hostilities returned to Prairie du Chien, where he died in 1842. His son, Joseph, was born about 1820, and although he received a good education, and all aid money could give, he did not like the restraints of refined society, but preferred the half nomad life amongst the Indians, part hunter, part farmer. In 1843 he came to Fort Snelling, and soon after went to Pembina, where he concluded to settle. He was elected to the Legislature in 1852, and continued to be a member until the

Territory was admitted into the Union. He was a member of the Constitutional Convention. When the State constitution was adopted, shutting Pembina out of Minnesota, it was supposed that Rolette ceased to be a Minnesota legislator. But when the Legislature met in December, 1857, behold here was the "Gentleman from Pembina" with his credentials, as usual, and of course he was admitted. The coming into power of the Republicans, next year, compelled him to retire to private life. He was a man to be popular with the early pioneers of the Territorial days. His jolly good-nature, his hearty and good humored disposition, his generosity, made him not only liked by his political friends, but by those opposed to him. He had faults, as every human being has, but there was nothing mean, small or sordid in his character. He had one marked failing, his generosity and improvidence. He would give away anything or everything to oblige another without a thought for his own wants. His spendthrift nature at last brought want, and he died actually poor.

The Legislature of 1858 passed an act authorizing the Governor to appoint commissioners to select the lands granted to the State for public buildings, under the act of Congress authorizing the State government. Governor Sibley appointed James D. Skinner, of St. Paul, W. C. Johnson, of Stillwater, and Robert Boyle of Hastings. They selected 6,399.14 acres in Kandiyohi County, which became known as the capital lands. Representative Kennedy introduced a bill in the House in the session of 1861, to locate the capital of the State as the permanent seat of government on the Kandiyohi lands. The bill passed the House by a vote of twenty-five to twelve, but was defeated in the Senate. Another determined attempt was made at the session of the Legislature in 1869 to remove the capital to these lands. The country members, with the assistance of the Representatives from Winona, Stillwater, and Minneapolis, passed a bill in the House by a vote of thirty-nine to seven, and in the Senate by a vote of thirteen to eight, locating the permanent capital on the Kandiyohi lands. This bill was, however, vetoed by Governor Marshall. He gave as his reason for

so doing, that there was no public sentiment in favor of the removal; that the question was not before the people at the last election; that the location was not central, and the time not opportune for the State to go into an expenditure of $1,000,000 or more.

J. L. Kitchell, Representative from Chippewa County, introduced a bill in the House of Representatives in 1872 to locate the capital of the State in the town of Stanton, Kandiyohi County. The bill was referred to an appropriate committee, where it still remains undisturbed.

Chapter XXXVIII.

LAST TERRITORIAL ADMINISTRATION.

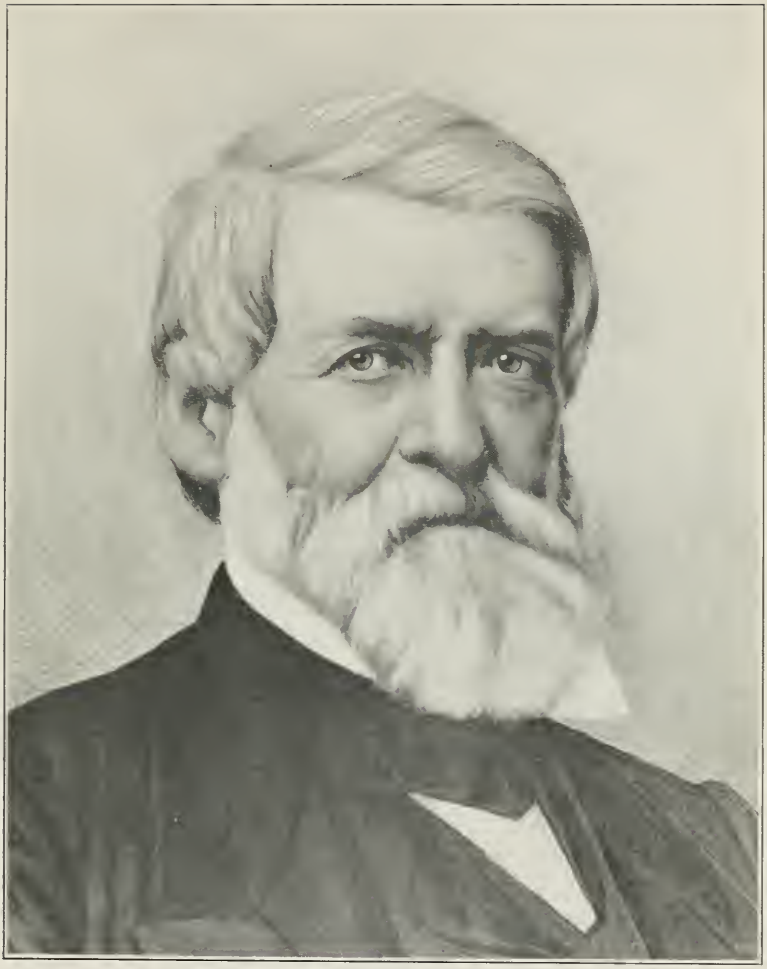
THE inauguration of President Buchanan as President of the United States caused changes in the Territorial officials. Governor Gorman was succeeded by Samuel Medary, of Ohio; J. Travis Rosser gave way as secretary of the Territory to Charles L. Chase; Norman Eddy succeeded John E. Warren as United States district attorney. In the judicial department William H. Welch was re-appointed chief justice and Rensselaer R. Nelson and Charles E. Flandreau became associate justices in the place of Andrew G. Chatfield and Moses G. Sherburne.

Samuel Medary, the last of the Territorial Governors, and who was known as the "wheel-horse of Ohio Democracy," was born at Montgomery Square, Montgomery County, Pennsylvania, February 25, 1801. He was reared in the Quaker faith; his mother's ancestors emigrated to America with William Penn. In 1825 he came to Ohio settling at Batavia, Clermont County, and at the age of twenty-six was made county surveyor and later auditor of that county. He established the *Ohio Sun* at Batavia in 1828, and in this newspaper he advocated the claims of General Jackson for the Presidency. In 1834 he was elected to the State Senate, serving two years, when he removed to Columbus, and purchased a newspaper called *The Western Hemisphere,* which name was afterwards changed to the *Ohio Statesman,* and which he edited almost continuously until 1857. This paper soon became not only a power in Ohio but in the Northwest and South. He supported General Jackson in his

contest with the United States Bank, and had the confidence and warm personal esteem of the President. It is asserted that Medary was the author of the Democratic shibboleth or party cry of 1843 and 1844, "Fifty-four-forty or fight." In time he became the warm and intimate friend of Douglas and other distinguished Democrats. He was chairman of the Ohio delegation to the Democratic convention at Baltimore in 1844, and terminated a long and ardent contest by presenting, as a candidate for the nomination for President, the name of James K. Polk, who was nominated and elected. It was generally understood that Medary presented Polk's name at the instance of General Jackson. He presided over the Cincinnati Democratic convention of 1856, which nominated James Buchanan for President. Medary was never an office-seeker. In 1853 he was offered the position of Minister to China, but declined it. He also refused to be considered as the incumbent of other official positions both at home and abroad. He accepted the appointment of Territorial Governor of Minnesota, also Governor of Kansas Territory, solely to gratify the Democratic administration and to help his party. After resigning the Governorship of Kansas in December, 1860, he returned to Columbus, Ohio, and established a Democratic journal, which he edited until his death, November 7, 1864. He was an accomplished and fluent writer, and it is said that he was able to write an able editorial upon one subject while conversing upon another.

Charles L. Chase, at the time of his appointment as Territorial secretary, was a resident of St. Anthony. He was a native of Connecticut, and came to St. Anthony in 1855. He established a bank and real estate office, and in 1856, with the late Alvaren Allen of St. Paul, became interested in mail contracts and stage lines. He was for several years an active business man in his adopted city.

Norman Eddy was a resident of Goshen, Indiana, and remained but a short time in the Territory. During the Civil War he was colonel of the Forty-eighth Indiana Volunteers, and that regiment was brigaded a part of the time, during its term of service, with the Fourth Minnesota Infantry.



SAMUEL MEDARY.

Of the two new appointees to the judicial bench a sketch of Charles E. Flandrau appears elsewhere.

Rensselaer R. Nelson was a son of Samuel Nelson, one of the most eminent judges of the Supreme Court of New York, and afterwards Associate Justice of the Supreme Court of the United States. Rensselaer R. Nelson was born in Cooperstown, New York, May 12, 1826. He entered Yale College in 1842, graduating five years later. He then became connected with a law office in New York City, but arrived at St. Paul May 12, 1850. In 1854 he became a resident of the town of Superior, Wisconsin, on account of certain business interests, and while there received his first civil appointment as district attorney of Douglas County. He returned to St. Paul in the fall of 1855, resuming the practice of his profession, which he continued until his appointment to the Territorial bench. The founding of the State caused a discontinuance of the office but on May 11, 1858, President Buchanan nominated him for United States district judge for the district of Minnesota. His appointment was confirmed by the Senate, and he continued to hold the position until his resignation in 1896. He was at that time the oldest federal judge in point of service in the United States. He died at St. Paul, October 15, 1904. Judge Nelson was every inch a judge, either on or off the bench; he impartially and ably administered justice under the law to hundreds of culprits, and yet there was no instance alleged where injustice had been done; his decisions were clear, sound, and just. He was an honored and honorable judge, and reflected credit upon the profession of which he was a member.

The newly appointed Governor arrived in St. Paul April 22. His predecessor had called an extra session of the Legislature, which convened April 27, 1857. There was no change in the membership from the preceding Legislature except in the House, where the vacancy caused by the resignation of Morgan L. Noble, in the sixth district, was filled by the election of Charles Jewett.

Governor Medary's message to the Legislature possessed the merit of brevity; but few suggestions were made. The In-

dian depredations at Spirit Lake, Iowa, and Springfield, Minnesota, were alluded to, and he advised the Legislature to memorialize the President to send an adequate force of mounted troops to scour the country between the Minnesota and Missouri Rivers, to apprehend and punish the Indian murderers.

The session adjourned May 25, 1857. The appointments of George W. Armstrong as treasurer, Julius Georgii, as auditor, and Lafayette Emmett as attorney general were confirmed by the Council. An act was passed to execute and accept the trust of the grant of land made by an act of Congress to aid in the construction of railroads. The city of Shakopee was incorporated. Anoka, Big Sioux, Crow Wing, Manomin (afterwards annexed to Anoka) Martin and Mille Lacs Counties were organized. Buchanan (afterwards annexed to Pine), Aitkin, Carlton, Cottonwood, Jackson, Medway (no more ever heard of it) Murray, Nobles, Pipestone and Rock Counties were established. The Legislature provided for the holding of a Constitutional Convention and appropriated $30,000 for expenses.

At the election held in the fall of 1857, W. W. Kingsbury, of St. Louis County, was the candidate for delegate to Congress on the Democratic ticket and Charles McClure, of Red Wing, on the Republican ticket. The vote was 15,188 for Kingsbury; 12,999 for McClure. This was without any returns from Aitkin, Benton, Cass, Chisago, Crow Wing, Davis, Goodhue, Isanti, Manomin, McLeod, Morrison, Mille Lacs, Pine, Pierce, Pembina and Todd Counties. The official vote was not declared until December 2, 1857, which was the last day by the Territorial law that the vote for delegate to Congress could be canvassed. The vote of these counties would not have varied the result but slightly.

William W. Kingsbury, the successful candidate for delegate to Congress, was born at Towanda, Pennsylvania, June 4, 1828. He came to the Lake Superior country in 1855, and had been a member of the Territorial Legislature, also of the Constitutional Convention.

THE SUNRISE EXPEDITION.

During the Summer of 1857 settlers near Cambridge and Sunrise, in Isanti County, complained of depredations upon them by the Chippewas. Governor Medary ordered Captain Starkey, of St. Paul, to take a part of his volunteer cavalry company, proceed to that part of the Territory, and arrest any Indians known to be committing or having committed depredations. August 24 Captain Starkey left St. Paul with twenty men; four days afterwards they overtook six lone Indians near Washington, and while talking to them, the Indians broke away and ran into the bushes, scared half to death by the military and threatening aspect of Captain Starkey's command. The captain ordered one of his men, Frank Donnelly, (a substitute who had volunteered in place of a regular cavalry man, who was prevented by sickness from taking part in the expedition) to head off the Indians, and tell them to stop. This Donnelly did, and an Indian by the name of Sha-go-ba, shot him, killing him instantly. The cavalry men then charged, killed one Indian, wounded another, and made the remaining four prisoners. The company then returned to St. Paul, and Major Cullen (then Superintendent of Indian Affairs) brought the matter before Judge Nelson, of the United States Court, on a writ of habeas corpus. The four Indians were released, but Sha-go-ba was sent to the Chisago County jail, and in a few days cut his way out with a penknife, and escaped. Thus ended what was known as the "Sunrise War."

REAL ESTATE SPECULATION AND THE FINANCIAL PANIC OF 1857.

The real estate speculative era commenced in Minnesota as early as 1852. In the fall of that year a correspondent of the Pittsburgh *Token,* who was on a visit to St. Paul, wrote his newspaper as follows:

> My ears at every turn are saluted with everlasting din. Land! Land! Money! Speculation! Saw mills! Town lots! etc, etc. I

turn away sick and disgusted; land at breakfast, land at dinner, land at supper, and until 11 o'clock, land; then land in bed until their vocal organs are exhausted, then they dream and groan out land, land! Everything is artificial, floating, the excitement of trade, speculation and expectation is now running high, and will perhaps for a year or so, but it must have a reaction.

During the years 1853 and 1854 there were large accessions of population; roads were constructed; farms were opened in the wilderness, towns sprang up on every hand. A human flow poured into the Territory in 1855, 1856 and 1857; these were the three years of greatest immigration in Territorial days. The fever of real estate speculation, which, before 1855, had been but feebly developed, in that year seemed to attack all classes. The shrewd and daring operators made enormous and rapid profits. Thousands of acres of prairie farming land that were entered in 1854 at $1.25 an acre, the following year readily brought $5.00 an acre. The currency in circulation was mostly composed of Indiana "Wild Cat," or free bank issues, and in the fall of 1854 its depreciation in value caused much trouble and loss to tradesmen and other holders. The real estate speculation reached its crisis in the early part of 1857; everybody seemed inoculated with the mania, from the capitalist to the humble laborer. Townsites and additions to towns were laid out by the score. Many were purely imaginary, never having been surveyed, and lots in these paper cities were sold by the hundreds in the East at exorbitant prices. Agriculture was neglected, farmers, mechanics, and laborers forsook their occupations to become operators in real estate. The number of real estate dealers was innumerable, but many of them were shysters, having no offices but the sidewalk, their stock in trade being a roll of town-site maps and a package of blank deeds. These operators, by sharp maneuvering, would manipulate unsuspecting strangers and fleece them of their means by selling them lots in moonshine towns for several hundred dollars each that were not actually worth as many cents. Such operations were repeated again and again until St. Paul and Minnesota had a name abroad anything but enviable.

The panic of 1857 found the country in an exceedingly prosperous condition; it was, however, true that railway extensions

had been checked to some extent, and a more conservative feeling prevailed regarding these enterprises. There was no indication of a coming financial crisis, although early in August the New York banks had contracted their loans. The New York Clearing House Association had been organized four years previously and it kept the business public informed of the financial condition of the banking institutions.

On August 24 the suspension of the Ohio Life and Trust Company, an Ohio corporation with its home office in Cincinnati, and its principal agency in New York, was announced. This institution, while not being a bank of issue, nor a discounter of bills, was a large borrower from other institutions, and its affairs were supposed to be conducted on a conservative plan as a trust company. The bankers and exchange dealers of the West had extensively bought from this institution their bills of exchange, and these had been sent to New York in payment of dues, or for deposit. The company had also borrowed of individual bankers, exchange dealers, and stock houses, hypothecating not only its own collaterals but the property of its patrons. The panic that followed the news of the company's failure was intensified by the disclosure that the entire capital of the company ($2,000,000) had been virtually embezzled.

The bank managers of New York City promptly called in all loans. Money on undoubted collateral could only be obtained by paying three to five per cent a month, and on ordinary security and mercantile paper no loans could be obtained. The purchase and transportation of produce practically ceased. The failure of the Bank of Pennsylvania, in Philadelphia, was followed by the breaking of banks in that city, and in Baltimore and other Southern Atlantic cities, and commercial business was everywhere suspended. The failures in New York and Philadelphia were followed, in the early part of October by the assignment of the Illinois Central Railroad Company. The notes of the New York and Erie Railroad Company went to protest, and the Michigan Central Railroad Company suspended payment of its floating debt. The New York banks suspended specie payment October 14, 1857, and resumed December 11; the abun-

dant crops of that year materially aided in a general recovery.

The effects of the panic did not reach Minnesota until almost the first week in October. When they came, however, the bubble of real estate speculation burst at once, and the financial distress was more ruinous and dire in its consequences than in any other part of the Northwest. Everything had been so inflated and unreal, values being purely fictitious. All classes were in debt, with but little real wealth. Honest industry was neglected, so that business was paralyzed, real estate actually valueless, and unsalable at any price, and "Wild Cat" money driving all other forms of currency nearly out of circulation.

In the early part of 1857, the banks in St. Paul and other points in Minnesota, were in a thriving and prosperous condition. The Eastern capitalists, tempted by the prevailing interest of three per-cent a month, had sent large sums of money to be loaned by the local banks. In a comparatively short time the available funds of most of the banks were invested in ninety day notes, drawing the prevailing rate of interest.

When the effect of the money panic was felt banking house after banking house in St. Paul, the money center of the Territory, closed its doors. The old banking institution of Borup & Oakes on October 20 made an assignment. Nearly all the mercantile firms suspended, or made assignments, until there were but two solvent banking institutions in the city, Mackubin & Edgerton and Willius Bros.

There was a great scarcity of money. The volume of currency was not equal to the demands of trade and business. This scarcity was relieved to some extent by Samuel Mayall, who had in his possession unsigned bank bills of various denominations, printed for the use of the "Bank of Gray, Maine," a projected enterprise which never went into operation. These notes were merely specimens of engraving, but Mr. Mayall generously divided them among the different bankers, who endorsed them, and they circulated at par, as also did the city and county warrants, when endorsed by them.

The Chicago *Tribune* in December, 1857, said:

St. Anthony and Minneapolis appear to be the headquarters of the uncurrent money in Minnesota. Large quantities of the broken Farmers' Bank of North Carolina, quoted in Chicago at seventy-five per cent discount, circulate at par up there. Bills of the Citizens' Bank of North Carolina, which is busted; Tekama, of Nebraska, which is a swindle, and the Florence which is a little better, together with the Fontenelle, constitute about all the currency which is in circulation north of St. Paul. The same villainous trash has spread over many of the western counties, and driven out every dollar of current money.

The hard times then commenced in earnest. Banks were failing in every direction, and as soon as this was known their notes were refused. The discounts in "Wild Cat" currency increased with alarming rapidity, and soon it was refused altogether, leaving the people practically without a circulating medium. Trade then took the form of barter. State orders were quoted at twenty cents on the dollar, while town orders were worth from thirty to thirty-five cents. The newspapers were crowded with notices of the foreclosures of mortgages, executions, and other results of the crash. Towards the winter of 1857-58 the money stringency increased severely. The city and county boards were advised to issue "denominational scrip" to be used as currency. This scheme was soon after put into operation, and the scrip was in circulation for two or three years.

Soon after the admission of Minnesota as a State, in 1858, the Legislature enacted a general banking law, but it lacked adequate provisions for properly securing the issues of the banks organized under it. The currency was no improvement over that which superceded it. Of the large number of banks that went into operation under the law, and flooded the country with their bills, the issues of but a single one, The People's Bank of St. Peter, located at St. Paul, were permanently and fully redeemed. Under the law, the bills of the banks were redeemable in coin at the places where they were (or purported to be) issued. The banks, however, were permitted to have agencies located in different parts of the State. Thus, the genral practice was to issue the notes at the agencies, while the banks were located in some remote and inaccessible places in the State. This compelled the holder of the bill to make a journey of considerable

extent if he could not collect payment at St. Paul, where the agencies were mostly located.

The first banks to organize under this law were at St. Paul under the title of the "People's Bank of St. Peter" and the "Central Bank of New Ulm." Others followed, with their alleged headquarters at Glencoe, Mankato, Garden City, and elsewhere. There were also a number of banks of this character throughout the State that did not maintain an agency in St. Paul.

The hard times continued to intensify in 1859. In the spring of that year Sewall, Ferris & Co., of New York City, organized at St. Paul the Bank of Minnesota; also at St. Peter the Nicollet County Bank. The circulation of these banks, unlike that of the other banks of the State, was not based on Minnesota Railroad Bonds, but on Ohio 6's and the bonds of the original $250,000 issue of Minnesota State Bonds.

In the fall of 1859 began another season of financial depression. One morning it was announced that the banking house of Sewall, Ferris & Co., had failed; the Bank of Minnesota and the Nicollet County Bank promptly closed their doors. This precipitated at St. Paul a run on the agencies of the other banks, and with but one exception (the Peoples' Bank of St. Peter) the holders of the bank notes were referred to the place of issue for the redemption of their notes in coin.

Several banks in the State were closed up, and their outstanding circulation was redeemed by the state auditor, who sold their bonds deposited with him for what they would bring, and applied the proceeds to the redemption of the bills. This redemption was effected at rates below par, ranging from fourteen to forty cents on the dollar. A large proportion of the circulating medium in Minnesota was bills of Illinois and Wisconsin banks, which held a large quantity of Southern State bonds, and at the outbreak of the Civil War they greatly depreciated in value. This currency became known as "stump tail," and was so called because a great part of its value had depreciated. The "Wild Cat" currency was the bills of banks with insufficient

capital and resources. "Shinplasters" were bills of broken or fraudulent banks of no value whatever.

The year 1859 closed, however, with better prospects financially. The hoarded coin began to appear as a circulating medium, first French five franc pieces, then a little Mexican silver. The harvest had been abundant that fall, and the price of wheat was fifty cents a bushel in gold. For the first time, grain was exported from the State, and the people began to get on a foundation of real prosperity.

Thus ended the period of Minnesota's history as a Territory; the losses sustained by real estate speculations, augmented by the monetary panic of 1857, retarded her immigration and progress, but she was to receive a more serious drawback in the development of her growth in the decade that was to follow.

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